**UNITED STATES DISTRICT COURT**
**DISTRICT OF RHODE ISLAND**

GEORGE GUINDON, Alias, ET AL :
:
VS. : C.A. NO. 2003-335 L
:
AMERICAN FOAM CORPORATION, ET AL :

***AMENDED ANSWER OF DEFENDANT DANIEL BICEHELE TO PLAINTIFFS' COMPLAINT***

**JURISDICTION AND VENUE**

1. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

2. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

3. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 3 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

**PARTIES**

**Plaintiffs**

4. Defendant Daniel Biechele is without knowledge or information as to the truth or falsity of the allegations set forth in Paragraph 4 of Plaintiffs' Complaint as it relates to George Guindon's residency and his status as a patron at The Station Nightclub on February 20, 2003. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions

117

as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the remaining allegations in Paragraph 4 of Plaintiffs' Complaint at this time.

5. Defendant Daniel Biechele is without knowledge or information as to the truth or falsity of the allegations set forth in Paragraph 5 of Plaintiffs' Complaint as it relates to the identity and capacity in which Barbara Guindon and Eric Guindon bringing this action or their residency. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the remaining allegations in Paragraph 5 of Plaintiffs' Complaint at this time.

6. Defendant Daniel Biechele is without knowledge or information as to the truth or falsity of the allegations set forth in Paragraph 6 of Plaintiffs' Complaint as it relates to the identity and capacity of the parties or their residency. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 6 of Plaintiffs' Complaint at this time.

7. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 7 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof as it relates to Louis Rossi's capacity as Administrator, residence and Mr. Rossi being a patron of The Station nightclub on February 20, 2003. Based on the criminal prosecution I currently

face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the remaining allegations in Paragraph 7 of Plaintiffs' Complaint at this time.

8. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 8 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof as it relates to Christopher Scott's residence and Mr. Scott being a patron of The Station nightclub on February 20, 2003. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the remaining allegations in Paragraph 8 of Plaintiffs' Complaint at this time.

9. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 9 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof as it relates to Julianna Giaven's residence and Ms. Giaven being a patron of The Station nightclub on February 20, 2003. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 9 of Plaintiffs' Complaint at this time.

10. Defendant Daniel Biechele is without knowledge or information of the truth or falsity

of the allegations set forth in Paragraph 10 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof as it relates to Stephen Bruno's residence and Mr. Bruno being a patron of The Station nightclub on February 20, 2003. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the remaining allegations in Paragraph 10 of Plaintiffs' Complaint at this time.

11. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 11 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof as it relates to Eric Malardo's residence and Mr. Malardo being a patron of The Station nightclub on February 20, 2003. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the remaining allegations in Paragraph 11 of Plaintiffs' Complaint at this time.

12. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 12 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof as it relates to Michelle Malardo's residence and Ms. Malardo being a patron of The Station nightclub on February 20, 2003. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution.

Based on these privileges, I respectfully decline to answer the remaining allegations in Paragraph 12 of Plaintiffs' Complaint at this time.

13. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 13 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof as it relates to Richard Sanetti's residence and Mr. Sanetti being a patron of The Station nightclub on February 20, 2003. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the remaining allegations in Paragraph 13 of Plaintiffs' Complaint at this time.

14. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 14 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof as it relates to Patricia Sanetti's residence and Ms. Sanetti being a patron of The Station nightclub on February 20, 2003. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the remaining allegations in Paragraph 14 of Plaintiffs' Complaint at this time.

15. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 15 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof as it relates to Michelle Spence's residence and Ms. Spence being a patron of The Station nightclub on February 20, 2003. Based on the criminal prosecution I currently face in the matter of

State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the remaining allegations in Paragraph 15 of Plaintiffs' Complaint at this time.

16. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 16 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof as it relates to Catherine Carignan's residence and Ms. Carignan being a patron of The Station nightclub on February 20, 2003. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the remaining allegations in Paragraph 16 of Plaintiffs' Complaint at this time.

17. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 17 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof as it relates to Edward Corbett, Jr.'s capacity as Administrator, residence and Mr. Corbett being a patron of The Station nightclub on February 20, 2003. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the remaining allegations in Paragraph 17 of Plaintiffs' Complaint at this time.

18. Defendant Daniel Biechele is without knowledge or information of the truth or falsity

of the allegations set forth in Paragraph 18 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof as it relates to Paul and Betty Roe's capacity as Co-Administrators, residence and Ms. Durante being a patron of The Station nightclub on February 20, 2003. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the remaining allegations in Paragraph 18 of Plaintiffs' Complaint at this time.

19. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 19 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof as it relates to Daniel Davidson's residence and Mr. Davidson being a patron of The Station nightclub on February 20, 2003. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the remaining allegations in Paragraph 19 of Plaintiffs' Complaint at this time.

**Defendants**

20. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 20 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

21. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 21 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

22. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 22 of Plaintiffs' Complaint at this time.

23. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 23 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof as it relates to Triton Realty Limited Partnership's state of organization and/or being the owners of The Station Nightclub property. Defendant Daniel Biechele is also without knowledge or information as to Triton Realty, Inc.'s state of incorporation or it being a subsidiary of Triton Realty Limited Partnership or any of its ownership interest in The Station Nightclub property. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the remaining allegations in Paragraph 23 of Plaintiffs' Complaint at this time.

24. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 24 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

25. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 25 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

26. Defendant Daniel Biechele is without knowledge or information of the truth or falsity

of the allegations set forth in Paragraph 26 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

27. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 27 of Plaintiffs' Complaint at this time.

28. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 28 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

29. Defendant Daniel Biechele is without knowledge or information with regards to Defendant Jack Russell's residency. Defendant Daniel Biechele admits to the remaining allegations set forth in Paragraph 29 of Plaintiff's Complaint.

30. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 30 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

31. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 31 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

32. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 32 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

33. Defendant Daniel Biechele denies he was a resident of the State of California. Based

on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the remaining allegations in Paragraph 33 of Plaintiffs' Complaint at this time.

34. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 34 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

35. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 35 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

36. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 36 of Plaintiffs' Complaint as it relates to Defendant Anheuser-Busch, Inc.'s corporate status and place of business and leaves Plaintiffs to their proof thereof. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the remaining allegations in Paragraph 36 of Plaintiffs' Complaint at this time.

37. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 37 of Plaintiffs' Complaint as it relates to Defendant McLaughlin & Moran's corporate status and place of business and leaves Plaintiffs to their proof thereof. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v.

Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the remaining allegations in Paragraph 37 of Plaintiffs' Complaint at this time.

38. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 38 of Plaintiffs' Complaint as it relates to Defendant WHJY-FM's corporate status and place of business and leaves Plaintiffs to their proof thereof. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the remaining allegations in Paragraph 38 of Plaintiffs' Complaint at this time.

39. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 39 of Plaintiffs' Complaint as it relates to Defendant Clear Channel Communications, Inc.'s corporate status and place of business and leaves Plaintiffs to their proof thereof. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the remaining allegations in Paragraph 39 of Plaintiffs' Complaint at this time.

40. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 40 of Plaintiffs' Complaint as it relates to Defendant Luna

Tech, Inc.'s corporate status and place of business and leaves Plaintiffs to their proof thereof. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the remaining allegations in Paragraph 40 of Plaintiffs' Complaint at this time.

41. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 41 of Plaintiffs' Complaint as it relates to Defendant Motiva Enterprises, LLC's corporate status and place of business and leaves Plaintiffs to their proof thereof. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the remaining allegations in Paragraph 41 of Plaintiffs' Complaint at this time.

42. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 42 of Plaintiffs' Complaint as it relates to Defendant Shell Oil Company's corporate status and place of business and leaves Plaintiffs to their proof thereof. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the remaining allegations in Paragraph 42 of Plaintiffs' Complaint at this time.

43. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 43 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

44. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 44 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

45. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 45 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

## ALLEGATIONS COMMON TO ALL COUNTS

46. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 46 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

47. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 47 of Plaintiffs' Complaint at this time.

48. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 48 of Plaintiffs' Complaint at

this time.

49. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 49 of Plaintiffs' Complaint at this time.

50. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 50 of Plaintiffs' Complaint at this time.

51. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 51 of Plaintiffs' Complaint at this time.

52. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 52 of Plaintiffs' Complaint at

this time.

53. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 53 of Plaintiffs' Complaint at this time.

54. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 54 of Plaintiffs' Complaint at this time.

55. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 55 of Plaintiffs' Complaint at this time.

56. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraphs 56 of Plaintiffs' Complaint at

this time.

57. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 57 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

58. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 58 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

59. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 59 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

60. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 60 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

61. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 61 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

62. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 62 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

63. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 63 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

64. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 64 of Plaintiffs' Complaint and leaves Plaintiffs to their proof

thereof.

65. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 65 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

66. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 66 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

67. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 67 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

68. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 68 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

69. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 69 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

70. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 70 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

71. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 71 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

72. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 72 of Plaintiffs' Complaint and leaves Plaintiffs to their proof

thereof.

73. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 73 of Plaintiffs' Complaint at this time.

74. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 74 of Plaintiffs' Complaint at this time.

75. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 75 of Plaintiffs' Complaint at this time.

76. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 76 of Plaintiffs' Complaint at

this time.

**CLAIMS AGAINST AMERICAN FOAM CORPORATION**

**Count One**
**By George Guindon**
**(Negligence)**

77. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 76 of Plaintiffs' Complaint as if more fully set forth herein.

78. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 78 of Plaintiffs' Complaint at this time.

79. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 79 of Plaintiffs' Complaint at this time.

80. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 80 of Plaintiffs' Complaint at this time.

81. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 81 of Plaintiffs' Complaint at this time.

82. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 82 of Plaintiffs' Complaint at this time.

83. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 83 of Plaintiffs' Complaint at this time.

**Count Two**
**By Barbara Guindon, Individually**
**for Loss of Consortium**
**(Negligence)**

84. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 83 of Plaintiffs' Complaint as if more fully set forth herein.

85. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 85 of Plaintiffs' Complaint at this time.

**Count Three**
**(By Barbara Guindon as Mother and**
**Next Friend to Erica Guindon**
**for Loss of Consortium**
**(Negligence)**

86. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 85 of Plaintiffs' Complaint as if more fully set forth herein.

87. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 87 of Plaintiffs' Complaint at this time.

**Count Four**
**By George Guindon**
**(Strict Products Liability)**

88. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 87 of Plaintiffs' Complaint as if more fully set forth herein.

89. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these

privileges, I respectfully decline to answer the allegations in Paragraph 89 of Plaintiffs' Complaint at this time.

90. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 90 of Plaintiffs' Complaint at this time.

91. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 91 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

92. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 92 of Plaintiffs' Complaint at this time.

93. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 93 of Plaintiffs' Complaint at this time.

94. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 94 of Plaintiffs' Complaint at this time.

95. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 95 of Plaintiffs' Complaint at this time.

96. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 96 of Plaintiffs' Complaint at this time.

97. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 97 of Plaintiffs' Complaint at this time.

**Count Five**
**By Barbara Guindon, Individually**

**for Loss of Consortium**
**(Strict Products Liability)**

98. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 97 of Plaintiffs' Complaint as if more fully set forth herein.

99. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 99 of Plaintiffs' Complaint at this time.

**Count Six**
**By Barbara Guindon, as Mother and**
**Next Friend to Erica Guindon**
**for Loss of Consortium**
**(Strict Products Liability)**

100. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 99 of Plaintiffs' Complaint as if more fully set forth herein.

101. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 101 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST FOAMEX INTERNATIONAL**

**Count Seven**
**By George Guindon**
**(Negligence)**

102. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 101 of Plaintiffs' Complaint as if more fully set forth herein.

103. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 103 of Plaintiffs' Complaint at this time.

104. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 104 of Plaintiffs' Complaint at this time.

105. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 105 of Plaintiffs' Complaint at this time.

106. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these

privileges, I respectfully decline to answer the allegations in Paragraph 106 of Plaintiffs' Complaint at this time.

107. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 107 of Plaintiffs' Complaint at this time.

108. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 108 of Plaintiffs' Complaint at this time.

**Count Eight**
**By Barbara Guindon, Individually**
**for Loss of Consortium**
**(Negligence)**

109. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 108 of Plaintiffs' Complaint as if more fully set forth herein.

110. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 110 of Plaintiffs' Complaint at

this time.

**Count Nine**
**(By Barbara Guindon as Mother and**
**Next Friend to Erica Guindon**
**for Loss of Consortium**
**(Negligence)**

111. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 110 of Plaintiffs' Complaint as if more fully set forth herein.

112. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 112 of Plaintiffs' Complaint at this time.

**Count Ten**
**By George Guindon**
**(Strict Products Liability)**

113. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 112 of Plaintiffs' Complaint as if more fully set forth herein.

114. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 114 of Plaintiffs' Complaint at this time.

115. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 115 of Plaintiffs' Complaint at this time.

116. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 116 of Plaintiffs' Complaint at this time.

117. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 117 of Plaintiffs' Complaint at this time.

118. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 118 of Plaintiffs' Complaint at this time.

119. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 119 of Plaintiffs' Complaint at this time.

120. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 120 of Plaintiffs' Complaint at this time.

121. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 121 of Plaintiffs' Complaint at this time.

122. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 122 of Plaintiffs' Complaint at this time.

**Count Eleven**
**By Barbara Guindon, Individually**
**for Loss of Consortium**

**(Strict Products Liability)**

123. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 122 of Plaintiffs' Complaint as if more fully set forth herein.

124. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 124 of Plaintiffs' Complaint at this time.

**Count Twelve**
**By Barbara Guindon, as**
**Mother and Next Friend to Erica Guindon**
**for Loss of Consortium**
**(Strict Products Liability)**

125. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 124 of Plaintiffs' Complaint as if more fully set forth herein.

126. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 126 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST BARRY H. WARNER**

**Count Thirteen**
**By George Guindon**
**(Negligence)**

127. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1

through 126 of Plaintiffs' Complaint as if more fully set forth herein.

128. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 128 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

129. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 129 of Plaintiffs' Complaint at this time.

130. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 130 of Plaintiffs' Complaint at this time.

131. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 131 of Plaintiffs' Complaint at this time.

132. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 132 of Plaintiffs' Complaint at this time.

133. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 133 of Plaintiffs' Complaint at this time.

134. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 134 of Plaintiffs' Complaint at this time.

135. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 135 of Plaintiffs' Complaint at this time.

**Count Fourteen**
**By Barbara Guindon, Individually**
**for Loss of Consortium**
**(Negligence)**

136. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 135 of Plaintiffs' Complaint as if more fully set forth herein.

137. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 137 of Plaintiffs' Complaint at this time.

**Count Fifteen**
**By Barbara Guindon, as Mother and Next Friend of Erica Guindon for Loss of Consortium (Negligence)**

138. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 137 of Plaintiffs' Complaint as if more fully set forth herein.

139. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 139 of Plaintiffs' Complaint at this time.

**Count Sixteen**
**By George Guindon (Strict Products Liability)**

140. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 139 of Plaintiffs' Complaint as if more fully set forth herein.

141. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 141 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

142. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 142 of Plaintiffs' Complaint at this time.

143. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 143 of Plaintiffs' Complaint at this time.

144. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 144 of Plaintiffs' Complaint at this time.

145. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 145 of Plaintiffs' Complaint at this time.

146. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 146 of Plaintiffs' Complaint at this time.

147. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 147 of Plaintiffs' Complaint at this time.

148. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 148 of Plaintiffs' Complaint at this time.

**Count Seventeen**
**By Barbara Guindon, Individually**
**for Loss of Consortium**
**(Strict Products Liability)**

149. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 148 of Plaintiffs' Complaint as if more fully set forth herein.

150. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 150 of Plaintiffs' Complaint at this time.

**Count Eighteen**
**By Barbara Guindon, as Mother and**
**Next Friend to Erica Guindon**
**for Loss of Consortium**
**(Strict Products Liability)**

151. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 150 of Plaintiffs' Complaint as if more fully set forth herein.

152. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 152 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST JEFFREY DERDERIAN, MICHAEL DERDERIAN AND DERCO, LLC d/b/a "THE STATION"**

**Count Nineteen**
**By George Guindon**
**(Negligence)**

153. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1

through 152 of Plaintiffs' Complaint as if more fully set forth herein.

154. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 154 of Plaintiffs' Complaint at this time.

155. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 155 of Plaintiffs' Complaint at this time.

156. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 156 of Plaintiffs' Complaint at this time.

157. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 157 of Plaintiffs' Complaint at

this time.

158. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 158 of Plaintiffs' Complaint at this time.

159. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 159 of Plaintiffs' Complaint at this time.

**Count Twenty**
**By Barbara Guindon, Individually**
**for Loss of Consortium**
**(Negligence)**

160. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 159 of Plaintiffs' Complaint as if more fully set forth herein.

161. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 161 of Plaintiffs' Complaint at this time.

**Count Twenty-One**

**By Barbara Guindon, as Mother and Next Friend of Erica Guindon for Loss of Consortium (Negligence)**

162. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 161 of Plaintiffs' Complaint as if more fully set forth herein.

163. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 163 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST MANIC MUSIC MANAGEMENT, INC.

### Count Twenty-Two
**By George Guindon (Negligence)**

164. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 163 of Plaintiffs' Complaint as if more fully set forth herein.

165. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 165 of Plaintiffs' Complaint at this time.

166. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 166 of Plaintiffs' Complaint at this time.

167. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 167 of Plaintiffs' Complaint at this time.

168. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 168 of Plaintiffs' Complaint at this time.

169. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 169 of Plaintiffs' Complaint at this time.

170. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 170 of Plaintiffs' Complaint at this time.

**Count Twenty-Three**
**By Barbara Guindon, Individually**
**for Loss of Consortium**
**(Negligence)**

171. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 170 of Plaintiffs' Complaint as if more fully set forth herein.

172. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 172 of Plaintiffs' Complaint at this time.

**Count Twenty-Four**
**By Barbara Guindon, as Mother and**
**Next Friend of Erica Guindon**
**for Loss of Consortium**
**(Negligence)**

173. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 172 of Plaintiffs' Complaint as if more fully set forth herein.

174. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these

privileges, I respectfully decline to answer the allegations in Paragraph 174 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST JACK RUSSELL, MARK KENDALL, DAVID FILICE, ERIC POWERS d/b/a "GREAT WHITE"**

**Count Twenty-Five**
**By George Guindon**
**(Negligence)**

175. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 174 of Plaintiffs' Complaint as if more fully set forth herein.

176. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 176 of Plaintiffs' Complaint at this time.

177. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 177 of Plaintiffs' Complaint at this time.

178. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these

privileges, I respectfully decline to answer the allegations in Paragraph 178 of Plaintiffs' Complaint at this time.

179. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 179 of Plaintiffs' Complaint at this time.

180. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 180 of Plaintiffs' Complaint at this time.

181. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 181 of Plaintiffs' Complaint at this time.

**Count Twenty-Six**
**By Barbara Guindon, Individually**
**for Loss of Consortium**
**(Negligence)**

182. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1

through 182 of Plaintiffs' Complaint as if more fully set forth herein.

183. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 183 of Plaintiffs' Complaint at this time.

**Count Twenty-Seven**
**By Barbara Guindon, as Mother and**
**Next Friend of Erica Guindon**
**for Loss of Consortium**
**(Negligence)**

184. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 183 of Plaintiffs' Complaint as if more fully set forth herein.

185. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 185 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST DANIEL BIECHELE**

**Count Twenty-Eight**
**By George Guindon**
**(Negligence)**

186. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 185 of Plaintiffs' Complaint as if more fully set forth herein.

187. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 187 of Plaintiffs' Complaint at this time.

188. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 188 of Plaintiffs' Complaint at this time.

189. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 189 of Plaintiffs' Complaint at this time.

190. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 190 of Plaintiffs' Complaint at this time.

191. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 191 of Plaintiffs' Complaint at this time.

192. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 192 of Plaintiffs' Complaint at this time.

**Count Twenty-Nine**
**By Barbara Guindon, Individually**
**for Loss of Consortium**
**(Negligence)**

193. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 192 of Plaintiffs' Complaint as if more fully set forth herein.

194. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 194 of Plaintiffs' Complaint at this time.

**Count Thirty**
**By Barbara Guindon, as Mother and**
**Next Friend of Erica Guindon**
**for Loss of Consortium**
**(Negligence)**

195. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 194 of Plaintiffs' Complaint as if more fully set forth herein.

196. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 196 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST PAUL WOOLNOUGH AND KNIGHT RECORDS, INC.

### Count Thirty-One
### By George Guindon
### (Negligence)

197. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 196 of Plaintiffs' Complaint as if more fully set forth herein.

198. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 198 of Plaintiffs' Complaint at this time.

199. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these

privileges, I respectfully decline to answer the allegations in Paragraph 199 of Plaintiffs' Complaint at this time.

200. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 200 of Plaintiffs' Complaint at this time.

201. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 201 of Plaintiffs' Complaint at this time.

202. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 202 of Plaintiffs' Complaint at this time.

203. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these

privileges, I respectfully decline to answer the allegations in Paragraph 203 of Plaintiffs' Complaint at this time.

**Count Thirty-Two**
**By Barbara Guindon, Individually**
**for Loss of Consortium**
**(Negligence)**

204. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 203 of Plaintiffs' Complaint as if more fully set forth herein.

205. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 205 of Plaintiffs' Complaint at this time.

**Count Thirty-Three**
**By Barbara Guindon, as Mother and**
**Next Friend of Erica Guindon**
**for Loss of Consortium**
**(Negligence)**

206. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 205 of Plaintiffs' Complaint as if more fully set forth herein.

207. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 207 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST ANHEUSER-BUSCH, INC.**

**Count Thirty-Four**
**By George Guindon**
**(Negligence)**

208. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 207 of Plaintiffs' Complaint as if more fully set forth herein.

209. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 209 of Plaintiffs' Complaint at this time.

210. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 210 of Plaintiffs' Complaint at this time.

211. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 211 of Plaintiffs' Complaint at this time.

212. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 212 of Plaintiffs' Complaint at this time.

213. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 213 of Plaintiffs' Complaint at this time.

214. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 214 of Plaintiffs' Complaint at this time.

215. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 215 of Plaintiffs' Complaint at this time.

216. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 216 of Plaintiffs' Complaint at this time.

217. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 217 of Plaintiffs' Complaint at this time.

**Count Thirty-Five**
**By Barbara Guindon, Individually**
**for Loss of Consortium**
**(Negligence)**

218. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 217 of Plaintiffs' Complaint as if more fully set forth herein.

219. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 219 of Plaintiffs' Complaint at this time.

**Count Thirty-Six**
**By Barbara Guindon, as Mother and**
**Next Friend of Erica Guindon**
**for Loss of Consortium**
**(Negligence)**

220. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 219 of Plaintiffs' Complaint as if more fully set forth herein.

221. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 221 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST MCLAUGHLIN & MORAN, INC.

### Count Thirty-Seven
### By George Guindon
### (Negligence)

222. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 221 of Plaintiffs' Complaint as if more fully set forth herein.

223. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 223 of Plaintiffs' Complaint at this time.

224. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these

privileges, I respectfully decline to answer the allegations in Paragraph 224 of Plaintiffs' Complaint at this time.

225. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 225 of Plaintiffs' Complaint at this time.

226. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 226 of Plaintiffs' Complaint at this time.

227. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 227 of Plaintiffs' Complaint at this time.

228. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these

privileges, I respectfully decline to answer the allegations in Paragraph 228 of Plaintiffs' Complaint at this time.

229. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 229 of Plaintiffs' Complaint at this time.

230. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 230 of Plaintiffs' Complaint at this time.

231. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 231 of Plaintiffs' Complaint at this time.

**Count Thirty-Eight**
**By Barbara Guindon, Individually**
**for Loss of Consortium**
**(Negligence)**

232. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1

through 231 of Plaintiffs' Complaint as if more fully set forth herein.

233. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 233 of Plaintiffs' Complaint at this time.

**Count Thirty-Nine**
**By Barbara Guindon, as Mother and Next Friend of Erica Guindon for Loss of Consortium (Negligence)**

234. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 233 of Plaintiffs' Complaint as if more fully set forth herein.

235. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 235 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST CLEAR CHANNEL COMMUNICTIONS, INC. d/b/a WHJY**

**Count Forty**
**By George Guindon (Negligence)**

236. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 235 of Plaintiffs' Complaint as if more fully set forth herein.

237. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 237 of Plaintiffs' Complaint at this time.

238. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 238 of Plaintiffs' Complaint at this time.

239. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 239 of Plaintiffs' Complaint at this time.

240. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 240 of Plaintiffs' Complaint at this time.

241. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 241 of Plaintiffs' Complaint at this time.

242. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 242 of Plaintiffs' Complaint at this time.

243. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 243 of Plaintiffs' Complaint at this time.

244. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 244 of Plaintiffs' Complaint at this time.

245. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 245 of Plaintiffs' Complaint at this time.

**Count Forty-One**
**By Barbara Guindon, Individually**
**for Loss of Consortium**
**(Negligence)**

246. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 245 of Plaintiffs' Complaint as if more fully set forth herein.

247. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 247 of Plaintiffs' Complaint at this time.

**Count Forty-Two**
**By Barbara Guindon, as Mother and**
**Next Friend of Erica Guindon**
**for Loss of Consortium**
**(Negligence)**

248. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 247 of Plaintiffs' Complaint as if more fully set forth herein.

249. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 249 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST LUNA TECH, INC. AND LUNA TECH PYROTECHNIC, GMBH**

**Count Forty-Three**
**By George Guindon**
**(Negligence)**

250. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 249 of Plaintiffs' Complaint as if more fully set forth herein.

251. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 251 of Plaintiffs' Complaint at this time.

252. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 252 of Plaintiffs' Complaint at this time.

253. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 253 of Plaintiffs' Complaint at this time.

254. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 254 of Plaintiffs' Complaint at this time.

255. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 255 of Plaintiffs' Complaint at this time.

256. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 256 of Plaintiffs' Complaint at this time.

**Count Forty-Four**
**By Barbara Guindon, Individually**
**for Loss of Consortium**
**(Negligence)**

257. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 256 of Plaintiffs' Complaint as if more fully set forth herein.

258. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 258 of Plaintiffs' Complaint at this time.

**Count Forty-Five**
**By Barbara Guindon, as Mother and**
**Next Friend of Erica Guindon**
**for Loss of Consortium**
**(Negligence)**

259. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 258 of Plaintiffs' Complaint as if more fully set forth herein.

260. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 260 of Plaintiffs' Complaint at this time.

**Count Forty-Six**
**By George Guindon**
**(Strict Products Liability)**

261. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 260 of Plaintiffs' Complaint as if more fully set forth herein.

262. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 262 of Plaintiffs' Complaint at this time.

263. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 263 of Plaintiffs' Complaint at this time.

264. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 264 of Plaintiffs' Complaint at this time.

265. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 265 of Plaintiffs' Complaint at this time.

266. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 266 of Plaintiffs' Complaint at this time.

267. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 267 of Plaintiffs' Complaint at this time.

268. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 268 of Plaintiffs' Complaint at this time.

269. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 269 of Plaintiffs' Complaint at this time.

270. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 270 of Plaintiffs' Complaint at this time.

**Count Forty-Seven**
**By Barbara Guindon, Individually**
**for Loss of Consortium**
**(Strict Products Liability)**

271. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 270 of Plaintiffs' Complaint as if more fully set forth herein.

272. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 272 of Plaintiffs' Complaint at this time.

**Count Forty-Eight**
**By Barbara Guindon, as Mother and**
**Next Friend of Erica Guindon**
**for Loss of Consortium**
**(Strict Products Liability)**

273. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 272 of Plaintiffs' Complaint as if more fully set forth herein.

274. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 274 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST JOINT VENTURE LIABILITY AS TO JEFFREY DERDERIAN, MICHAEL DERDERIAN, AND DERCO LLC D/B/A THE STATION, MANIC MUSIC MANAGEMENT, INC., JACK RUSSELL, MARK KENDALL, DAVID FILICE, ERIC POWERS, DANIEL BIECHELE, PAUL WOOLNOUGH, KNIGHT RECORDS, INC., ANHEUSER-BUSCH INC., MCLAUGHLIN & MORAN, INC., CLEAR CHANNEL COMMUNICATIONS, INC., D/B/A WHJY-FM, MOTIVA ENTERPRISES, LLC AND SHELL OIL CORPORATION, TOWN OF WEST WARWICK AND STATE OF RHODE ISLAND**

**Count Forty-Nine**
**By George Guindon**
**(Negligence)**

275. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 274 of Plaintiffs' Complaint as if more fully set forth herein.

276. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 276 of Plaintiffs' Complaint at this time.

277. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 277 of Plaintiffs' Complaint at this time.

278. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 278 of Plaintiffs' Complaint at this time.

279. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 279 of Plaintiffs' Complaint at this time.

280. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 280 of Plaintiffs' Complaint at this time.

281. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 281 of Plaintiffs' Complaint at this time.

282. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 282 of Plaintiffs' Complaint at this time.

283. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 283 of Plaintiffs' Complaint at this time.

284. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 284 of Plaintiffs' Complaint at this time.

**Count Fifty**
**By Barbara Guindon, Individually**
**for Loss of Consortium**
**(Negligence)**

285. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 284 of Plaintiffs' Complaint as if more fully set forth herein.

286. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 286 of Plaintiffs' Complaint at this time.

**Count Fifty-One**
**By Barbara Guindon, as Mother and Next Friend of Erica Guindon for Loss of Consortium (Negligence)**

287. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 286 of Plaintiffs' Complaint as if more fully set forth herein.

288. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 288 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST SHELL OIL CORPORATION AND MOTIVA ENTERPRISES, LLC**

**Count Fifty-Two**
**By George Guindon (Negligence)**

289. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 288 of Plaintiffs' Complaint as if more fully set forth herein.

290. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 290 of Plaintiffs' Complaint and leaves Plaintiffs to their

proof thereof.

291. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 291 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

292. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 292 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

293. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 293 of Plaintiffs' Complaint at this time.

294. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 294 of Plaintiffs' Complaint at this time.

295. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 295 of Plaintiffs' Complaint at

this time.

296. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 296 of Plaintiffs' Complaint at this time.

297. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 297 of Plaintiffs' Complaint at this time.

298. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 298 of Plaintiffs' Complaint at this time.

299. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 299 of Plaintiffs' Complaint at

this time.

300. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 300 of Plaintiffs' Complaint at this time.

301. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 301 of Plaintiffs' Complaint at this time.

302. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 302 of Plaintiffs' Complaint at this time.

303. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 303 of Plaintiffs' Complaint at

this time.

304. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 304 of Plaintiffs' Complaint at this time.

**Count Fifty-Three**
**By Barbara Guindon, Individually**
**for Loss of Consortium**
**(Negligence)**

305. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 304 of Plaintiffs' Complaint as if more fully set forth herein.

306. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 306 of Plaintiffs' Complaint at this time.

**Count Fifty-Four**
**By Barbara Guindon, as Mother and**
**Next Friend of Erica Guindon**
**for Loss of Consortium**
**(Negligence)**

307. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 306 of Plaintiffs' Complaint as if more fully set forth herein.

308. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 308 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST TOWN OF WEST WARWICK AND FIRE INSPECTOR, DENIS LAROCQUE**

**Count Fifty-Five**
**By George Guindon**
**(Negligence)**

309. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 308 of Plaintiffs' Complaint as if more fully set forth herein.

310. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 310 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

311. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 311 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

312. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 312 of Plaintiffs' Complaint at this time.

313. Defendant Daniel Biechele is without knowledge or information of the truth or falsity

of the allegations set forth in Paragraph 313 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

314. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 314 of Plaintiffs' Complaint at this time.

315. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 315 of Plaintiffs' Complaint at this time.

316. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 316 of Plaintiffs' Complaint at this time.

317. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these

privileges, I respectfully decline to answer the allegations in Paragraph 317 of Plaintiffs' Complaint at this time.

318. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 318 of Plaintiffs' Complaint at this time.

319. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 319 of Plaintiffs' Complaint at this time.

320. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 320 of Plaintiffs' Complaint at this time.

321. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these

privileges, I respectfully decline to answer the allegations in Paragraph 321 of Plaintiffs' Complaint at this time.

**Count Fifty-Six**
**By Barbara Guindon, Individually**
**for Loss of Consortium**
**(Negligence)**

322. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 321 of Plaintiffs' Complaint as if more fully set forth herein.

323. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 323 of Plaintiffs' Complaint at this time.

**Count Fifty-Seven**
**By Barbara Guindon, as Mother and**
**Next Friend of Erica Guindon**
**for Loss of Consortium**
**(Negligence)**

324. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 323 of Plaintiffs' Complaint as if more fully set forth herein.

325. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 325 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST STATE OF RHODE ISLAND AND**

**IRVING J. OWENS, FIRE MARSHAL**

**Count Fifty-Eight**
**By George Guindon**
**(Negligence)**

326. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 325 of Plaintiffs' Complaint as if more fully set forth herein.

327. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 327 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

328. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 328 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

329. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 329 of Plaintiffs' Complaint at this time.

330. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 330 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

331. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these

privileges, I respectfully decline to answer the allegations in Paragraph 331 of Plaintiffs' Complaint at this time.

332. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 332 of Plaintiffs' Complaint at this time.

333. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 333 of Plaintiffs' Complaint at this time.

334. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 334 of Plaintiffs' Complaint at this time.

335. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these

privileges, I respectfully decline to answer the allegations in Paragraph 335 of Plaintiffs' Complaint at this time.

336. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 336 of Plaintiffs' Complaint at this time.

337. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 337 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

338. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 338 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

**Count Fifty-Nine**
**By Barbara Guindon, Individually**
**for Loss of Consortium**
**(Negligence)**

339. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 338 of Plaintiffs' Complaint as if more fully set forth herein.

340. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 340 of Plaintiffs' Complaint at

this time.

**Count Sixty**
**By Barbara Guindon, as**
**Mother and Next Friend of Erica Guindon**
**for Loss of Consortium**
**(Negligence)**

341. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 340 of Plaintiffs' Complaint as if more fully set forth herein.

342. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 342 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST AMERICAN FOAM CORPORATION**

**Count Sixty-One**
**By Tammy Ayer, as Administrator**
**of the Estate of Tina Marie Ayer**
**(Negligence)**

343. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 342 of Plaintiffs' Complaint as if more fully set forth herein.

344. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 344 of Plaintiffs' Complaint at this time.

345. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 345 of Plaintiffs' Complaint at this time.

346. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 346 of Plaintiffs' Complaint at this time.

347. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 347 of Plaintiffs' Complaint at this time.

348. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 348 of Plaintiffs' Complaint at this time.

**Count Sixty-Two**
**By Tammy Ayer, as Administrator**
**of the Estate of Tina Marie Ayer**
**(Strict Products Liability)**

349. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 348 of Plaintiffs' Complaint as if more fully set forth herein.

350. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 350 of Plaintiffs' Complaint at this time.

351. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 351 of Plaintiffs' Complaint at this time.

352. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 352 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

353. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these

privileges, I respectfully decline to answer the allegations in Paragraph 353 of Plaintiffs' Complaint at this time.

354. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 354 of Plaintiffs' Complaint at this time.

355. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 355 of Plaintiffs' Complaint at this time.

356. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 356 of Plaintiffs' Complaint at this time.

357. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these

privileges, I respectfully decline to answer the allegations in Paragraph 357 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST FOAMEX INTERNATIONAL

### Count Sixty-Three
### By Tammy Ayer, as Administrator of the Estate of Tina Marie Ayer (Negligence)

358. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 357 of Plaintiffs' Complaint as if more fully set forth herein.

359. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 359 of Plaintiffs' Complaint at this time.

360. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 360 of Plaintiffs' Complaint at this time.

361. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these

privileges, I respectfully decline to answer the allegations in Paragraph 361 of Plaintiffs' Complaint at this time.

362. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 362 of Plaintiffs' Complaint at this time.

363. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 363 of Plaintiffs' Complaint at this time.

**Count Sixty-Four**
**By Tammy Ayer, as Administrator**
**of the Estate of Tina Marie Ayer**
**(Strict Products Liability)**

364. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 363 of Plaintiffs' Complaint as if more fully set forth herein.

365. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 365 of Plaintiffs' Complaint at

this time.

366. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 366 of Plaintiffs' Complaint at this time.

367. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 367 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

368. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 368 of Plaintiffs' Complaint at this time.

369. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 369 of Plaintiffs' Complaint at this time.

370. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 370 of Plaintiffs' Complaint at this time.

371. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 366 of Plaintiffs' Complaint at this time.

372. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 372 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST BARRY H. WARNER**

**Count Sixty-Five**
**By Tammy Ayer, as Administrator**
**of the Estate of Tina Marie Ayer**
**(Negligence)**

373. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 372 of Plaintiffs' Complaint as if more fully set forth herein.

374. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 374 of Plaintiffs' Complaint and leaves Plaintiffs to their

proof thereof.

375. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 375 of Plaintiffs' Complaint at this time.

376. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 376 of Plaintiffs' Complaint at this time.

377. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 377 of Plaintiffs' Complaint at this time.

378. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 378 of Plaintiffs' Complaint at

this time.

379. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 379 of Plaintiffs' Complaint at this time.

380. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 380 of Plaintiffs' Complaint at this time.

**Count Sixty-Six**
**By Tammy Ayer, as Administrator**
**of the Estate of Tina Marie Ayer**
**(Strict Product Liability)**

381. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 380 of Plaintiffs' Complaint as if more fully set forth herein.

382. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 382 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

383. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 383 of Plaintiffs' Complaint at this time.

384. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 384 of Plaintiffs' Complaint at this time.

385. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 385 of Plaintiffs' Complaint at this time.

386. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 386 of Plaintiffs' Complaint at this time.

387. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 387 of Plaintiffs' Complaint at this time.

388. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 388 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST JEFFREY DERDERIAN, MICHAEL DERDERIAN AND DERCO, LLC d/b/a "THE STATION"**

**Count Sixty-Seven**
**By Tammy Ayer, as Administrator**
**of the Estate of Tina Marie Ayer**
**(Negligence)**

389. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 388 of Plaintiffs' Complaint as if more fully set forth herein.

390. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 390 of Plaintiffs' Complaint at this time.

391. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 399 of Plaintiffs' Complaint at this time.

400. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 400 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST JACK RUSSELL, MARK KENDALL, DAVID FILICE, ERIC POWERS d/b/a "GREAT WHITE"**

**Count Sixty-Nine**
**By Tammy Ayer, as Administrator of the Estate of Tina Marie Ayer (Negligence)**

401. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 400 of Plaintiffs' Complaint as if more fully set forth herein.

402. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 402 of Plaintiffs' Complaint at this time.

403. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 403 of Plaintiffs' Complaint at this time.

404. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 404 of Plaintiffs' Complaint at this time.

405. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 405 of Plaintiffs' Complaint at this time.

406. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 406 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST DANIEL BIECHELE**

**Count Seventy**
**By Tammy Ayer, as Administrator**
**of the Estate of Tina Marie Ayer**
**(Negligence)**

407. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 406 of Plaintiffs' Complaint as if more fully set forth herein.

408. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 408 of Plaintiffs' Complaint at this time.

409. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 409 of Plaintiffs' Complaint at this time.

410. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 410 of Plaintiffs' Complaint at this time.

411. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 411 of Plaintiffs' Complaint at this time.

412. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 412 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST PAUL WOOLNOUGH AND KNIGHT RECORDS, INC.

### Count Seventy-One
**By Tammy Ayer, as Administrator of the Estate of Tina Marie Ayer (Negligence)**

413. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 412 of Plaintiffs' Complaint as if more fully set forth herein.

414. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 414 of Plaintiffs' Complaint at this time.

415. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 415 of Plaintiffs' Complaint at this time.

416. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 416 of Plaintiffs' Complaint at this time.

417. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 417 of Plaintiffs' Complaint at this time.

418. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 418 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST ANHEUSER-BUSCH, INC.

### Count Seventy-Two
**By Tammy Ayer, as Administrator of the Estate of Tina Marie Ayer (Negligence)**

419. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 418 of Plaintiffs' Complaint as if more fully set forth herein.

420. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 420 of Plaintiffs' Complaint at this time.

421. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 421 of Plaintiffs' Complaint at this time.

422. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 422 of Plaintiffs' Complaint at this time.

423. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 423 of Plaintiffs' Complaint at this time.

424. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 424 of Plaintiffs' Complaint at this time.

425. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 425 of Plaintiffs' Complaint at this time.

426. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 426 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST MCLAUGHLIN & MORAN, INC.

### Count Seventy-Three
### By Tammy Ayer, as Administrator
### of the Estate of Tina Marie Ayer
### (Negligence)

427. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 426 of Plaintiffs' Complaint as if more fully set forth herein.

428. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 428 of Plaintiffs' Complaint at this time.

429. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 429 of Plaintiffs' Complaint at this time.

430. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 430 of Plaintiffs' Complaint at this time.

431. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 431 of Plaintiffs' Complaint at this time.

432. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 432 of Plaintiffs' Complaint at this time.

433. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 433 of Plaintiffs' Complaint at this time.

434. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 434 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST CLEAR CHANNEL COMMUNICTIONS, INC.**
**d/b/a WHJY**

**Count Seventy-Four**
**By Tammy Ayer, as Administrator**
**of the Estate of Tina Marie Ayer**

**(Negligence)**

435. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 434 of Plaintiffs' Complaint as if more fully set forth herein.

436. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 436 of Plaintiffs' Complaint at this time.

437. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 437 of Plaintiffs' Complaint at this time.

438. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 438 of Plaintiffs' Complaint at this time.

439. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 439 of Plaintiffs' Complaint at this time.

440. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 440 of Plaintiffs' Complaint at this time.

441. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 441 of Plaintiffs' Complaint at this time.

442. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 442 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST LUNA TECH, INC. AND LUNA TECH PYROTECHNIC, GMBH

### Count Seventy-Five
**By Tammy Ayer, as Administrator of the Estate of Tina Marie Ayer**

**(Negligence)**

443. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 442 of Plaintiffs' Complaint as if more fully set forth herein.

444. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 444 of Plaintiffs' Complaint at this time.

445. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 445 of Plaintiffs' Complaint at this time.

446. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 446 of Plaintiffs' Complaint at this time.

447. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 447 of Plaintiffs' Complaint at this time.

448. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 448 of Plaintiffs' Complaint at this time.

**Count Seventy-Six**
**By Tammy Ayer, as Administrator**
**of the Estate of Tina Marie Ayer**
**(Strict Product Liability)**

449. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 448 of Plaintiffs' Complaint as if more fully set forth herein.

450. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 450 of Plaintiffs' Complaint at this time.

451. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these

privileges, I respectfully decline to answer the allegations in Paragraph 451 of Plaintiffs' Complaint at this time.

452. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 452 of Plaintiffs' Complaint at this time.

453. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 453 of Plaintiffs' Complaint at this time.

454. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 454 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST JOINT VENTURE LIABILITY AS TO JEFFREY DERDERIAN, MICHAEL DERDERIAN, AND DERCO LLC D/B/A THE STATION, MANIC MUSIC MANAGEMENT, INC., JACK RUSSELL, MARK KENDALL, DAVID FILICE, ERIC POWERS, DANIEL BIECHELE, PAUL WOOLNOUGH, KNIGHT RECORDS, INC., ANHEUSER-BUSCH INC., MCLAUGHLIN & MORAN, INC., CLEAR CHANNEL COMMUNICATIONS, INC., D/B/A WHJY-FM, MOTIVA ENTERPRISES, LLC AND SHELL OIL CORPORATION, TOWN OF WEST WARWICK AND STATE OF RHODE ISLAND**

**Count Seventy-Seven**
**By Tammy Ayer, as Administrator of the Estate of Tina Marie Ayer (Negligence)**

455. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 454 of Plaintiffs' Complaint as if more fully set forth herein.

456. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 456 of Plaintiffs' Complaint at this time.

457. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 457 of Plaintiffs' Complaint at this time.

458. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 458 of Plaintiffs' Complaint at this time.

459. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 459 of Plaintiffs' Complaint at this time.

460. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 460 of Plaintiffs' Complaint at this time.

461. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 461 of Plaintiffs' Complaint at this time.

462. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 462 of Plaintiffs' Complaint at this time.

463. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 463 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST SHELL OIL CORPORATION AND MOTIVA ENTERPRISES, LLC**

**Count Seventy-Eight**
**By Tammy Ayer, as Administrator**
**of the Estate of Tina Marie Ayer**
**(Negligence)**

464. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 463 of Plaintiffs' Complaint as if more fully set forth herein.

465. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 465 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

466. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 466 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

467. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 467 of Plaintiffs' Complaint at this time.

468. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 468 of Plaintiffs' Complaint at this time.

469. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 469 of Plaintiffs' Complaint at this time.

470. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 470 of Plaintiffs' Complaint at this time.

471. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 471 of Plaintiffs' Complaint at this time.

472. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 472 of Plaintiffs' Complaint at this time.

473. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 473 of Plaintiffs' Complaint at this time.

474. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 474 of Plaintiffs' Complaint at this time.

475. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 475 of Plaintiffs' Complaint at this time.

476. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 476 of Plaintiffs' Complaint at this time.

477. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 477 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST TOWN OF WEST WARWICK AND FIRE INSPECTOR, DENIS LAROCQUE

### Count Seventy-Nine
**By Tammy Ayer, as Administrator of the Estate of Tina Marie Ayer (Negligence)**

478. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 477 of Plaintiffs' Complaint as if more fully set forth herein.

479. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 479 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

480. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 480 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

481. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 481 of Plaintiffs' Complaint at this time.

482. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 482 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

483. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 483 of Plaintiffs' Complaint at this time.

484. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 484 of Plaintiffs' Complaint at this time.

485. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these

privileges, I respectfully decline to answer the allegations in Paragraph 485 of Plaintiffs' Complaint at this time.

486. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 486 of Plaintiffs' Complaint at this time.

487. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 487 of Plaintiffs' Complaint at this time.

488. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 488 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

489. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 489 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

**CLAIMS AGAINST STATE OF RHODE ISLAND AND**
**IRVING J. OWENS, FIRE MARSHAL**

**Count Eighty**
**By Tammy Ayer, as Administrator**
**of the Estate of Tina Marie Ayer**
**(Negligence)**

490. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 489 of Plaintiffs' Complaint as if more fully set forth herein.

491. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 491 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

492. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 492 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

493. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 493 of Plaintiffs' Complaint at this time.

494. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 494 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

495. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 495 of Plaintiffs' Complaint at this time.

496. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 496 of Plaintiffs' Complaint at this time.

497. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 497 of Plaintiffs' Complaint at this time.

498. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 498 of Plaintiffs' Complaint at this time.

499. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 499 of Plaintiffs' Complaint at this time.

500. Defendant Daniel Biechele is without knowledge or information of the truth or falsity

of the allegations set forth in Paragraph 500 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

501. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 501 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

**CLAIMS AGAINST AMERICAN FOAM CORPORATION**

**Count Eighty-One**
**By Louis Rossi, as Administrator of the Estate of Joseph Rossi**
**(Negligence)**

502. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 501 of Plaintiffs' Complaint as if more fully set forth herein.

503. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 503 of Plaintiffs' Complaint at this time.

504. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 504 of Plaintiffs' Complaint at this time.

505. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 505 of Plaintiffs' Complaint at this time.

506. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 506 of Plaintiffs' Complaint at this time.

507. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 507 of Plaintiffs' Complaint at this time.

**Count Eighty-Two**
**By Louis Rossi, as Administrator**
**of the Estate of Joseph Rossi**
**(Strict Products Liability)**

508. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 507 of Plaintiffs' Complaint as if more fully set forth herein.

509. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 509 of Plaintiffs' Complaint at this time.

510. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 510 of Plaintiffs' Complaint at this time.

511. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 511 of Plaintiffs' Complaint at this time.

512. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 512 of Plaintiffs' Complaint at this time.

513. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 513 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST FOAMEX INTERNATIONAL

### Count Eighty-Three
**By Louis Rossi, as Administrator of the Estate of Joseph Rossi (Negligence)**

514. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 513 of Plaintiffs' Complaint as if more fully set forth herein.

515. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 515 of Plaintiffs' Complaint at this time.

516. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 516 of Plaintiffs' Complaint at this time.

517. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 517 of Plaintiffs' Complaint at this time.

518. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 518 of Plaintiffs' Complaint at this time.

519. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 519 of Plaintiffs' Complaint at this time.

**Count Eighty-Four**
**By Louis Rossi, as Administrator**
**of the Estate of Joseph Rossi**
**(Strict Products Liability)**

520. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 519 of Plaintiffs' Complaint as if more fully set forth herein.

521. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 521 of Plaintiffs' Complaint at this time.

522. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 522 of Plaintiffs' Complaint at this time.

523. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 523 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

524. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 524 of Plaintiffs' Complaint at this time.

525. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 525 of Plaintiffs' Complaint at this time.

526. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 526 of Plaintiffs' Complaint at this time.

527. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 527 of Plaintiffs' Complaint at this time.

528. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 528 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST BARRY H. WARNER

### Count Eighty-Five
**By Louis Rossi, as Administrator**
**of the Estate of Joseph Rossi**
**(Negligence)**

529. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 528 of Plaintiffs' Complaint as if more fully set forth herein.

530. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 530 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

531. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 531 of Plaintiffs' Complaint at this time.

532. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 532 of Plaintiffs' Complaint at this time.

533. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 533 of Plaintiffs' Complaint at this time.

534. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 534 of Plaintiffs' Complaint at this time.

535. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 535 of Plaintiffs' Complaint at this time.

536. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 536 of Plaintiffs' Complaint at this time.

**Count Eighty-Six**
**By Louis Rossi, as Administrator**
**of the Estate of Joseph Rossi**
**(Strict Product Liability)**

537. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 536 of Plaintiffs' Complaint as if more fully set forth herein.

538. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 538 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

539. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 539 of Plaintiffs' Complaint at this time.

540. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 540 of Plaintiffs' Complaint at this time.

541. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 541 of Plaintiffs' Complaint at this time.

542. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 542 of Plaintiffs' Complaint at this time.

543. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 543 of Plaintiffs' Complaint at this time.

544. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 544 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST JEFFREY DERDERIAN, MICHAEL DERDERIAN AND DERCO, LLC d/b/a "THE STATION"

### Count Eighty-Seven
**By Louis Rossi, as Administrator of the Estate of Joseph Rossi (Negligence)**

545. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 544 of Plaintiffs' Complaint as if more fully set forth herein.

546. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 546 of Plaintiffs' Complaint at this time.

547. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 547 of Plaintiffs' Complaint at this time.

548. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 548 of Plaintiffs' Complaint at this time.

549. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 549 of Plaintiffs' Complaint at this time.

550. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 550 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST MANIC MUSIC MANAGEMENT, INC.**

**Count Eighty-Eight**
**By Louis Rossi, as Administrator of the Estate of Joseph Rossi (Negligence)**

551. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 550 of Plaintiffs' Complaint as if more fully set forth herein.

552. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 552 of Plaintiffs' Complaint at this time.

553. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 553 of Plaintiffs' Complaint at this time.

554. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 554 of Plaintiffs' Complaint at this time.

555. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 555 of Plaintiffs' Complaint at this time.

556. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 556 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST JACK RUSSELL, MARK KENDALL, DAVID FILICE, ERIC POWERS d/b/a "GREAT WHITE"**

**Count Eighty-Nine**
**By Louis Rossi, as Administrator**
**of the Estate of Joseph Rossi**
**(Negligence)**

557. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 556 of Plaintiffs' Complaint as if more fully set forth herein.

558. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 558 of Plaintiffs' Complaint at this time.

559. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 559 of Plaintiffs' Complaint at this time.

560. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 560 of Plaintiffs' Complaint at this time.

561. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 561 of Plaintiffs' Complaint at this time.

562. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 562 of Plaintiffs' Complaint at this time.

## **CLAIMS AGAINST DANIEL BIECHELE**

**Count Ninety**
**By Louis Rossi, as Administrator of the Estate of Joseph Rossi (Negligence)**

563. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 562 of Plaintiffs' Complaint as if more fully set forth herein.

564. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 564 of Plaintiffs' Complaint at this time.

565. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 565 of Plaintiffs' Complaint at this time.

566. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 566 of Plaintiffs' Complaint at this time.

567. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 567 of Plaintiffs' Complaint at this time.

568. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 568 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST PAUL WOOLNOUGH AND KNIGHT RECORDS, INC.**

**Count Ninety-One**
**By Louis Rossi, as Administrator of the Estate of Joseph Rossi (Negligence)**

569. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 568 of Plaintiffs' Complaint as if more fully set forth herein.

570. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 570 of Plaintiffs' Complaint at this time.

571. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 571 of Plaintiffs' Complaint at this time.

572. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 572 of Plaintiffs' Complaint at this time.

573. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 573 of Plaintiffs' Complaint at this time.

574. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 574 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST ANHEUSER-BUSCH, INC.**

**Count Ninety-Two**
**By Louis Rossi, as Administrator**
**of the Estate of Joseph Rossi**
**(Negligence)**

575. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 574 of Plaintiffs' Complaint as if more fully set forth herein.

576. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 576 of Plaintiffs' Complaint at this time.

577. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 577 of Plaintiffs' Complaint at this time.

578. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 578 of Plaintiffs' Complaint at this time.

579. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 579 of Plaintiffs' Complaint at this time.

580. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 580 of Plaintiffs' Complaint at this time.

581. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 581 of Plaintiffs' Complaint at this time.

582. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 582 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST MCLAUGHLIN & MORAN, INC.**

**Count Ninety-Three**
**By Louis Rossi, as Administrator of the Estate of Joseph Rossi (Negligence)**

583. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 582 of Plaintiffs' Complaint as if more fully set forth herein.

584. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 584 of Plaintiffs' Complaint at this time.

585. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 585 of Plaintiffs' Complaint at this time.

586. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 586 of Plaintiffs' Complaint at this time.

587. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 587 of Plaintiffs' Complaint at this time.

588. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 588 of Plaintiffs' Complaint at this time.

589. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 589 of Plaintiffs' Complaint at this time.

590. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 590 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST CLEAR CHANNEL COMMUNICTIONS, INC.**
**d/b/a WHJY**

**Count Ninety-Four**
**By Louis Rossi, as Administrator**
**of the Estate of Joseph Rossi**
**(Negligence)**

591. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 590 of Plaintiffs' Complaint as if more fully set forth herein.

592. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 592 of Plaintiffs' Complaint at this time.

593. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 593 of Plaintiffs' Complaint at this time.

594. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 594 of Plaintiffs' Complaint at this time.

595. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 595 of Plaintiffs' Complaint at this time.

596. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 596 of Plaintiffs' Complaint at this time.

597. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 597 of Plaintiffs' Complaint at this time.

598. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 598 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST LUNA TECH, INC. AND LUNA TECH PYROTECHNIC, GMBH**

**Count Ninety-Five**
**By Louis Rossi, as Administrator of the Estate of Joseph Rossi (Negligence)**

599. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 598 of Plaintiffs' Complaint as if more fully set forth herein.

600. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 600 of Plaintiffs' Complaint at this time.

601. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 601 of Plaintiffs' Complaint at this time.

602. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 602 of Plaintiffs' Complaint at this time.

603. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 603 of Plaintiffs' Complaint at this time.

604. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 604 of Plaintiffs' Complaint at this time.

**Count Ninety-Six**
**By Louis Rossi, as Administrator**
**of the Estate of Joseph Rossi**
**(Strict Product Liability)**

605. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 604 of Plaintiffs' Complaint as if more fully set forth herein.

606. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 606 of Plaintiffs' Complaint at this time.

607. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 607 of Plaintiffs' Complaint at this time.

608. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 608 of Plaintiffs' Complaint at this time.

609. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 609 of Plaintiffs' Complaint at this time.

610. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 610 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST JOINT VENTURE LIABILITY AS TO JEFFREY DERDERIAN, MICHAEL DERDERIAN, AND DERCO LLC D/B/A THE STATION, MANIC MUSIC MANAGEMENT, INC., JACK RUSSELL, MARK KENDALL, DAVID FILICE, ERIC POWERS, DANIEL BIECHELE, PAUL WOOLNOUGH, KNIGHT RECORDS, INC., ANHEUSER-BUSCH INC.,**

**MCLAUGHLIN & MORAN, INC., CLEAR CHANNEL COMMUNICATIONS, INC., D/B/A WHJY-FM, MOTIVA ENTERPRISES, LLC AND SHELL OIL CORPORATION, TOWN OF WEST WARWICK AND STATE OF RHODE ISLAND**

**Count Ninety-Seven**
**By Louis Rossi, as Administrator of the Estate of Joseph Rossi (Negligence)**

611. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 610 of Plaintiffs' Complaint as if more fully set forth herein.

612. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 612 of Plaintiffs' Complaint at this time.

613. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 613 of Plaintiffs' Complaint at this time.

614. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 614 of Plaintiffs' Complaint at

this time.

615. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 615 of Plaintiffs' Complaint at this time.

616. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 616 of Plaintiffs' Complaint at this time.

617. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 617 of Plaintiffs' Complaint at this time.

618. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 618 of Plaintiffs' Complaint at

this time.

619. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 619 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST SHELL OIL CORPORATION AND MOTIVA ENTERPRISES, LLC**

**Count Ninety-Eight**
**By Louis Rossi, as Administrator of the Estate of Joseph Rossi (Negligence)**

620. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 619 of Plaintiffs' Complaint as if more fully set forth herein.

621. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 621 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

622. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 622 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

623. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 623 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

624. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 624 of Plaintiffs' Complaint at this time.

625. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 625 of Plaintiffs' Complaint at this time.

626. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 626 of Plaintiffs' Complaint at this time.

627. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 627 of Plaintiffs' Complaint at this time.

628. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 628 of Plaintiffs' Complaint at this time.

629. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 629 of Plaintiffs' Complaint at this time.

630. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 630 of Plaintiffs' Complaint at this time.

631. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 631 of Plaintiffs' Complaint at this time.

632. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 632 of Plaintiffs' Complaint at this time.

633. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 633 of Plaintiffs' Complaint at this time.

634. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 634 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST TOWN OF WEST WARWICK AND FIRE INSPECTOR, DENIS LAROCQUE**

**Count Ninety-Nine**
**By Louis Rossi, as Administrator of the Estate of Joseph Rossi (Negligence)**

635. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 634 of Plaintiffs' Complaint as if more fully set forth herein.

636. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 636 of Plaintiffs' Complaint and leaves Plaintiffs to their

proof thereof.

637. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 637 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

638. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 638 of Plaintiffs' Complaint at this time.

639. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 639 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

640. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 640 of Plaintiffs' Complaint at this time.

641. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 641 of Plaintiffs' Complaint at

this time.

642. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 642 of Plaintiffs' Complaint at this time.

643. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 643 of Plaintiffs' Complaint at this time.

644. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 644 of Plaintiffs' Complaint at this time.

645. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 645 of Plaintiffs' Complaint at

this time.

646. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 646 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

**CLAIMS AGAINST STATE OF RHODE ISLAND AND IRVING J. OWENS, FIRE MARSHAL**

**Count One Hundred**
**By Louis Rossi, as Administrator of the Estate of Joseph Rossi (Negligence)**

647. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 646 of Plaintiffs' Complaint as if more fully set forth herein.

648. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 648 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

649. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 649 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

650. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 650 of Plaintiffs' Complaint at this time.

651. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 651 of Plaintiffs' Complaint and leaves Plaintiffs to their

proof thereof.

652. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 652 of Plaintiffs' Complaint at this time.

653. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 653 of Plaintiffs' Complaint at this time.

654. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 654 of Plaintiffs' Complaint at this time.

655. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 655 of Plaintiffs' Complaint at

this time.

656. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 656 of Plaintiffs' Complaint at this time.

657. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 657 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

658. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 658 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

## CLAIMS AGAINST AMERICAN FOAM CORPORATION

### Count One Hundred One
### By Christopher Scott
### (Negligence)

659. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 658 of Plaintiffs' Complaint as if more fully set forth herein.

660. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 660 of Plaintiffs' Complaint at this time.

661. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 661 of Plaintiffs' Complaint at this time.

662. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 662 of Plaintiffs' Complaint at this time.

663. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 663 of Plaintiffs' Complaint at this time.

664. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 664 of Plaintiffs' Complaint at this time.

**Count One Hundred Two**
**By Christopher Scott**
**(Strict Products Liability)**

665. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 664 of Plaintiffs' Complaint as if more fully set forth herein.

666. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 666 of Plaintiffs' Complaint at this time.

667. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 667 of Plaintiffs' Complaint at this time.

668. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 668 of Plaintiffs' Complaint at this time.

669. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 669 of Plaintiffs' Complaint at this time.

670. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 670 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST FOAMEX INTERNATIONAL

### Count One Hundred Three
### By Christopher Scott
### (Negligence)

671. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 670 of Plaintiffs' Complaint as if more fully set forth herein.

672. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 672 of Plaintiffs' Complaint at this time.

673. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 673 of Plaintiffs' Complaint at this time.

674. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 674 of Plaintiffs' Complaint at this time.

675. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 675 of Plaintiffs' Complaint at this time.

676. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 676 of Plaintiffs' Complaint at this time.

**Count One Hundred Four**
**By Christopher Scott**
**(Strict Products Liability)**

677. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1

through 676 of Plaintiffs' Complaint as if more fully set forth herein.

678. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 678 of Plaintiffs' Complaint at this time.

679. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 679 of Plaintiffs' Complaint at this time.

680. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 680 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

681. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 681 of Plaintiffs' Complaint at this time.

682. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 682 of Plaintiffs' Complaint at this time.

683. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 683 of Plaintiffs' Complaint at this time.

684. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 684 of Plaintiffs' Complaint at this time.

685. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 685 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST BARRY H. WARNER**

**Count One Hundred Five**
**By Christopher Scott**

**(Negligence)**

686. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 685 of Plaintiffs' Complaint as if more fully set forth herein.

687. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 687 of Plaintiffs' Complaint at this time.

688. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 688 of Plaintiffs' Complaint at this time.

689. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 689 of Plaintiffs' Complaint at this time.

690. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 690 of Plaintiffs' Complaint at this time.

691. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 691 of Plaintiffs' Complaint at this time.

**Count One Hundred Six**
**By Christopher Scott**
**(Strict Product Liability)**

692. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 691 of Plaintiffs' Complaint as if more fully set forth herein.

693. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 693 of Plaintiffs' Complaint at this time.

694. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 694 of Plaintiffs' Complaint at

this time.

695. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 695 of Plaintiffs' Complaint at this time.

696. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 696 of Plaintiffs' Complaint at this time.

697. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 697 of Plaintiffs' Complaint at this time.

698. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 698 of Plaintiffs' Complaint at

this time.

699. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 699 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST JEFFREY DERDERIAN, MICHAEL DERDERIAN AND DERCO, LLC d/b/a "THE STATION"

### Count One Hundred Seven
### By Christopher Scott
### (Negligence)

700. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 699 of Plaintiffs' Complaint as if more fully set forth herein.

701. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 701 of Plaintiffs' Complaint at this time.

702. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 702 of Plaintiffs' Complaint at

this time.

703. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 703 of Plaintiffs' Complaint at this time.

704. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 704 of Plaintiffs' Complaint at this time.

705. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 705 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST MANIC MUSIC MANAGEMENT, INC.

### Count One Hundred Eight
### By Christopher Scott
### (Negligence)

706. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 705 of Plaintiffs' Complaint as if more fully set forth herein.

707. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 707 of Plaintiffs' Complaint at this time.

708. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 708 of Plaintiffs' Complaint at this time.

709. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 709 of Plaintiffs' Complaint at this time.

710. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 710 of Plaintiffs' Complaint at this time.

711. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 711 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST JACK RUSSELL, MARK KENDALL, DAVID FILICE, ERIC POWERS d/b/a "GREAT WHITE"**

**Count One Hundred Nine**
**By Christopher Scott**
**(Negligence)**

712. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 711 of Plaintiffs' Complaint as if more fully set forth herein.

713. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 713 of Plaintiffs' Complaint at this time.

714. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 714 of Plaintiffs' Complaint at this time.

715. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 715 of Plaintiffs' Complaint at this time.

716. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 716 of Plaintiffs' Complaint at this time.

717. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 717 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST DANIEL BIECHELE

### Count One Hundred Ten
**By Christopher Scott**
**(Negligence)**

718. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 717 of Plaintiffs' Complaint as if more fully set forth herein.

719. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 719 of Plaintiffs' Complaint at this time.

720. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 720 of Plaintiffs' Complaint at this time.

721. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 721 of Plaintiffs' Complaint at this time.

722. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 722 of Plaintiffs' Complaint at this time.

723. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 723 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST PAUL WOOLNOUGH AND KNIGHT RECORDS, INC.**

**Count One Hundred Eleven**
**By Christopher Scott**
**(Negligence)**

724. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 723 of Plaintiffs' Complaint as if more fully set forth herein.

725. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 725 of Plaintiffs' Complaint at this time.

726. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 726 of Plaintiffs' Complaint at this time.

727. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 727 of Plaintiffs' Complaint at this time.

728. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 728 of Plaintiffs' Complaint at this time.

729. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 729 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST ANHEUSER-BUSCH, INC.

### Count One Hundred Twelve
### By Christopher Scott
### (Negligence)

730. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 729 of Plaintiffs' Complaint as if more fully set forth herein.

731. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 731 of Plaintiffs' Complaint at this time.

732. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 732 of Plaintiffs' Complaint at this time.

733. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 733 of Plaintiffs' Complaint at this time.

734. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 734 of Plaintiffs' Complaint at this time.

735. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 735 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST MCLAUGHLIN & MORAN, INC.**

**Count One Hundred Thirteen**
**By Christopher Scott**
**(Negligence)**

736. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 735 of Plaintiffs' Complaint as if more fully set forth herein.

737. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 737 of Plaintiffs' Complaint at this time.

738. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 738 of Plaintiffs' Complaint at this time.

739. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 739 of Plaintiffs' Complaint at this time.

740. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 740 of Plaintiffs' Complaint at this time.

741. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 741 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST CLEAR CHANNEL COMMUNICTIONS, INC. d/b/a WHJY

### Count One Hundred Fourteen
### By Christopher Scott
### (Negligence)

742. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 741 of Plaintiffs' Complaint as if more fully set forth herein.

743. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 743 of Plaintiffs' Complaint at this time.

744. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 744 of Plaintiffs' Complaint at this time.

745. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 745 of Plaintiffs' Complaint at this time.

746. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 746 of Plaintiffs' Complaint at this time.

747. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 747 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST LUNA TECH, INC. AND LUNA TECH PYROTECHNIC, GMBH**

**Count One Hundred Fifteen**
**By Christopher Scott**
**(Negligence)**

748. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 747 of Plaintiffs' Complaint as if more fully set forth herein.

749. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 749 of Plaintiffs' Complaint at this time.

750. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 750 of Plaintiffs' Complaint at this time.

751. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 751 of Plaintiffs' Complaint at this time.

752. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 752 of Plaintiffs' Complaint at this time.

753. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 753 of Plaintiffs' Complaint at this time.

**Count One Hundred Sixteen**
**By Christopher Scott**
**(Strict Product Liability)**

754. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 753 of Plaintiffs' Complaint as if more fully set forth herein.

755. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 755 of Plaintiffs' Complaint at

this time.

756. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 756 of Plaintiffs' Complaint at this time.

757. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 757 of Plaintiffs' Complaint at this time.

758. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 758 of Plaintiffs' Complaint at this time.

759. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 759 of Plaintiffs' Complaint at

this time.

**CLAIMS AGAINST JOINT VENTURE LIABILITY AS TO JEFFREY DERDERIAN, MICHAEL DERDERIAN, AND DERCO LLC D/B/A THE STATION, MANIC MUSIC MANAGEMENT, INC., JACK RUSSELL, MARK KENDALL, DAVID FILICE, ERIC POWERS, DANIEL BIECHELE, PAUL WOOLNOUGH, KNIGHT RECORDS, INC., ANHEUSER-BUSCH INC., MCLAUGHLIN & MORAN, INC., CLEAR CHANNEL COMMUNICATIONS, INC., D/B/A WHJY-FM, MOTIVA ENTERPRISES, LLC AND SHELL OIL CORPORATION, TOWN OF WEST WARWICK AND STATE OF RHODE ISLAND**

**Count One Hundred Seventeen**
**By Christopher Scott**
**(Negligence)**

760. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 759 of Plaintiffs' Complaint as if more fully set forth herein.

761. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 761 of Plaintiffs' Complaint at this time.

762. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 762 of Plaintiffs' Complaint at this time.

763. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 763 of Plaintiffs' Complaint at this time.

764. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 764 of Plaintiffs' Complaint at this time.

765. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 765 of Plaintiffs' Complaint at this time.

766. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 766 of Plaintiffs' Complaint at this time.

767. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 767 of Plaintiffs' Complaint at this time.

768. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 768 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST SHELL OIL CORPORATION AND MOTIVA ENTERPRISES, LLC**

**Count One Hundred Eighteen**
**By Christopher Scott**
**(Negligence)**

769. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 768 of Plaintiffs' Complaint as if more fully set forth herein.

770. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 770 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

771. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 771 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

772. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 772 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

773. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 773 of Plaintiffs' Complaint at this time.

774. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 774 of Plaintiffs' Complaint at this time.

775. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 775 of Plaintiffs' Complaint at this time.

776. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 776 of Plaintiffs' Complaint at this time.

777. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 777 of Plaintiffs' Complaint at this time.

778. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 778 of Plaintiffs' Complaint at this time.

779. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 779 of Plaintiffs' Complaint at this time.

780. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 780 of Plaintiffs' Complaint at this time.

781. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 781 of Plaintiffs' Complaint at this time.

782. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 782 of Plaintiffs' Complaint at this time.

783. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 783 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST TOWN OF WEST WARWICK AND FIRE INSPECTOR, DENIS LAROCQUE

### Count Hundred Nineteen
### By Christopher Scott
### (Negligence)

784. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 783 of Plaintiffs' Complaint as if more fully set forth herein.

785. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 785 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

786. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 786 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

787. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 787 of Plaintiffs' Complaint at this time.

788. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 788 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

789. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 789 of Plaintiffs' Complaint at this time.

790. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 790 of Plaintiffs' Complaint at this time.

791. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 791 of Plaintiffs' Complaint at this time.

792. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 792 of Plaintiffs' Complaint at this time.

793. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 793 of Plaintiffs' Complaint at this time.

794. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 794 of Plaintiffs' Complaint at this time.

795. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 795 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

**CLAIMS AGAINST STATE OF RHODE ISLAND AND IRVING J. OWENS, FIRE MARSHAL**

**Count One Hundred Twenty**
**By Christopher Scott**
**(Negligence)**

796. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 795 of Plaintiffs' Complaint as if more fully set forth herein.

797. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 797 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

798. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 798 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

799. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 799 of Plaintiffs' Complaint at this time.

800. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 800 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

801. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 801 of Plaintiffs' Complaint at this time.

802. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 802 of Plaintiffs' Complaint at this time.

803. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 803 of Plaintiffs' Complaint at this time.

804. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 804 of Plaintiffs' Complaint at this time.

805. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 805 of Plaintiffs' Complaint at this time.

806. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 806 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

807. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 807 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

**CLAIMS AGAINST AMERICAN FOAM CORPORATION**

**Count One Hundred Twenty-One**
**By Julianna Giaven**
**(Negligence)**

808. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 807 of Plaintiffs' Complaint as if more fully set forth herein.

809. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these

privileges, I respectfully decline to answer the allegations in Paragraph 809 of Plaintiffs' Complaint at this time.

810. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 810 of Plaintiffs' Complaint at this time.

811. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 811 of Plaintiffs' Complaint at this time.

812. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 812 of Plaintiffs' Complaint at this time.

813. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these

privileges, I respectfully decline to answer the allegations in Paragraph 813 of Plaintiffs' Complaint at this time.

**Count One Hundred Twenty-Two**
**By Julianna Giaven**
**(Strict Products Liability)**

814. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 813 of Plaintiffs' Complaint as if more fully set forth herein.

815. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 815 of Plaintiffs' Complaint at this time.

816. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 816 of Plaintiffs' Complaint at this time.

817. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 817 of Plaintiffs' Complaint at this time.

818. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 818 of Plaintiffs' Complaint at this time.

819. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 819 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST FOAMEX INTERNATIONAL

### Count One Hundred Twenty-Three
### By Julianna Giaven
### (Negligence)

820. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 819 of Plaintiffs' Complaint as if more fully set forth herein.

821. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 821 of Plaintiffs' Complaint at this time.

822. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 822 of Plaintiffs' Complaint at this time.

823. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 823 of Plaintiffs' Complaint at this time.

824. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 824 of Plaintiffs' Complaint at this time.

825. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 825 of Plaintiffs' Complaint at this time.

**Count One Hundred Twenty-Four**
**By Julianna Giaven**

**(Strict Products Liability)**

826. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 825 of Plaintiffs' Complaint as if more fully set forth herein.

827. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 827 of Plaintiffs' Complaint at this time.

828. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 828 of Plaintiffs' Complaint at this time.

829. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 829 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

830. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 830 of Plaintiffs' Complaint at this time.

831. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 831 of Plaintiffs' Complaint at this time.

832. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 832 of Plaintiffs' Complaint at this time.

833. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 833 of Plaintiffs' Complaint at this time.

834. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 834 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST BARRY H. WARNER

### Count One Hundred Twenty-Five
### By Julianna Giaven
### (Negligence)

835. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 834 of Plaintiffs' Complaint as if more fully set forth herein.

836. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 836 of Plaintiffs' Complaint at this time.

837. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 837 of Plaintiffs' Complaint at this time.

838. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 838 of Plaintiffs' Complaint at this time.

839. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 839 of Plaintiffs' Complaint at this time.

840. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 840 of Plaintiffs' Complaint at this time.

**Count One Hundred Twenty-Six**
**By Julianna Giaven**
**(Strict Product Liability)**

841. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 840 of Plaintiffs' Complaint as if more fully set forth herein.

842. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 842 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

843. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 843 of Plaintiffs' Complaint at this time.

at this time.

1937. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1937 of Plaintiffs' Complaint at this time.

1938. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1938 of Plaintiffs' Complaint at this time.

1939. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1939 of Plaintiffs' Complaint at this time.

1940. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1940 of Plaintiffs' Complaint

at this time.

1941. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1941 of Plaintiffs' Complaint at this time.

1942. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1942 of Plaintiffs' Complaint at this time.

1943. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1943 of Plaintiffs' Complaint at this time.

1944. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1944 of Plaintiffs' Complaint

at this time.

1945. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1945 of Plaintiffs' Complaint at this time.

1946. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1946 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST TOWN OF WEST WARWICK AND FIRE INSPECTOR, DENIS LAROCQUE**

**Count Two Hundred Seventy-Nine**
**By Catherine Carignan**
**(Negligence)**

1947. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1946 of Plaintiffs' Complaint as if more fully set forth herein.

1948. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1948 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1949. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1949 of Plaintiffs' Complaint and leaves Plaintiffs to their

proof thereof.

1950. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1950 of Plaintiffs' Complaint at this time.

1951. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1951 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1952. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1952 of Plaintiffs' Complaint at this time.

1953. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1953 of Plaintiffs' Complaint at this time.

1954. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1954 of Plaintiffs' Complaint at this time.

1955. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1955 of Plaintiffs' Complaint at this time.

1956. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1956 of Plaintiffs' Complaint at this time.

1957. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1957 of Plaintiffs' Complaint at this time.

1958. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1958 of Plaintiffs' Complaint and leaves Plaintiffs to their

proof thereof.

1959. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1959 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

**CLAIMS AGAINST STATE OF RHODE ISLAND AND IRVING J. OWENS, FIRE MARSHAL**

**Count Two Hundred Eighty**
**By Catherine Carignan**
**(Negligence)**

1960. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1959 of Plaintiffs' Complaint as if more fully set forth herein.

1961. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1961 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1962. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1962 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1963. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1963 of Plaintiffs' Complaint at this time.

1964. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1964 of Plaintiffs' Complaint and leaves Plaintiffs to their

proof thereof.

1965. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1965 of Plaintiffs' Complaint at this time.

1966. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1966 of Plaintiffs' Complaint at this time.

1967. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1967 of Plaintiffs' Complaint at this time.

1968. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1968 of Plaintiffs' Complaint

at this time.

1969. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1969 of Plaintiffs' Complaint at this time.

1970. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1970 of Plaintiffs' Complaint at this time.

1971. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1971 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1972. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1972 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

## CLAIMS AGAINST AMERICAN FOAM CORPORATION

### Count Two Hundred Eighty-One
**By Edward Corbett, Jr., as Administrator**
**of the Estate of Edward Corbett, III**
**(Negligence)**

1973. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1

through 1972 of Plaintiffs' Complaint as if more fully set forth herein.

1974. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1974 of Plaintiffs' Complaint at this time.

1975. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1975 of Plaintiffs' Complaint at this time.

1976. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1976 of Plaintiffs' Complaint at this time.

1977. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1977 of Plaintiffs' Complaint

at this time.

1978. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1978 of Plaintiffs' Complaint at this time.

**Count Two Hundred Eighty-Two**
**By Edward Corbett, Jr., as Administrator**
**of the Estate of Edward Corbett, III**
**(Strict Products Liability)**

1979. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1978 of Plaintiffs' Complaint as if more fully set forth herein.

1980. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1980 of Plaintiffs' Complaint at this time.

1981. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1981 of Plaintiffs' Complaint at this time.

1982. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1982 of Plaintiffs' Complaint at this time.

1983. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1983 of Plaintiffs' Complaint at this time.

1984. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1984 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST FOAMEX INTERNATIONAL

### Count Two Hundred Eighty-Three
### By Edward Corbett, Jr., as Administrator of the Estate of Edward Corbett, III
### (Negligence)

1985. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1984 of Plaintiffs' Complaint as if more fully set forth herein.

1986. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1986 of Plaintiffs' Complaint at this time.

1987. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1987 of Plaintiffs' Complaint at this time.

1988. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1988 of Plaintiffs' Complaint at this time.

1989. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1989 of Plaintiffs' Complaint at this time.

1990. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1990 of Plaintiffs' Complaint at this time.

**Count Two Hundred Eighty-Four**
**By Edward Corbett, Jr., as Administrator**
**of the Estate of Edward Corbett, III**
**(Strict Products Liability)**

1991. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1990 of Plaintiffs' Complaint as if more fully set forth herein.

1992. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1992 of Plaintiffs' Complaint at this time.

1993. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1993 of Plaintiffs' Complaint at this time.

1994. Defendant Daniel Biechele is without knowledge or information of the truth or falsity

of the allegations set forth in Paragraph 1994 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1995. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1995 of Plaintiffs' Complaint at this time.

1996. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1996 of Plaintiffs' Complaint at this time.

1997. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1997 of Plaintiffs' Complaint at this time.

1998. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these

privileges, I respectfully decline to answer the allegations in Paragraph 1998 of Plaintiffs' Complaint at this time.

1999. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1999 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST BARRY H. WARNER

### Count Two Hundred Eighty-Five
**By Edward Corbett, Jr., as Administrator of the Estate of Edward Corbett, III (Negligence)**

2000. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1999 of Plaintiffs' Complaint as if more fully set forth herein.

2001. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2001 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

2002. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2002 of Plaintiffs' Complaint at this time.

2003. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2003 of Plaintiffs' Complaint at this time.

2004. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2004 of Plaintiffs' Complaint at this time.

2005. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2005 of Plaintiffs' Complaint at this time.

2006. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2006 of Plaintiffs' Complaint at this time.

2007. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2007 of Plaintiffs' Complaint at this time.

2008. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2008 of Plaintiffs' Complaint at this time.

**Count Two Hundred Eighty-Six**
**By Edward Corbett, Jr., as Administrator**
**of the Estate of Edward Corbett, III**
**(Strict Product Liability)**

2009. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2008 of Plaintiffs' Complaint as if more fully set forth herein.

2010. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2010 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

2011. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2011 of Plaintiffs' Complaint

at this time.

2012. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2012 of Plaintiffs' Complaint at this time.

2013. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2013 of Plaintiffs' Complaint at this time.

2014. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2014 of Plaintiffs' Complaint at this time.

2015. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2015 of Plaintiffs' Complaint

at this time.

2016. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2016 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST JEFFREY DERDERIAN, MICHAEL DERDERIAN AND DERCO, LLC d/b/a "THE STATION"**

**Count Two Hundred Eighty-Seven**
**By Edward Corbett, Jr., as Administrator of the Estate of Edward Corbett, III**
**(Negligence)**

2017. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2016 of Plaintiffs' Complaint as if more fully set forth herein.

2018. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2018 of Plaintiffs' Complaint at this time.

2019. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2019 of Plaintiffs' Complaint

at this time.

2020. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2020 of Plaintiffs' Complaint at this time.

2021. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2021 of Plaintiffs' Complaint at this time.

2022. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2022 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST MANIC MUSIC MANAGEMENT, INC.

### Count Two Hundred Eighty-Eight
**By Edward Corbett, Jr., as Administrator**
**of the Estate of Edward Corbett, III**
**(Negligence)**

2023. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1

through 2022 of Plaintiffs' Complaint as if more fully set forth herein.

2024. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2024 of Plaintiffs' Complaint at this time.

2025. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2025 of Plaintiffs' Complaint at this time.

2026. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2026 of Plaintiffs' Complaint at this time.

2027. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2027 of Plaintiffs' Complaint

at this time.

2028. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2028 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST JACK RUSSELL, MARK KENDALL, DAVID FILICE, ERIC POWERS d/b/a "GREAT WHITE"**

**Count Two Hundred Eighty-Nine**
**By Edward Corbett, Jr., as Administrator of the Estate of Edward Corbett, III**
**(Negligence)**

2029. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2028 of Plaintiffs' Complaint as if more fully set forth herein.

2030. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2030 of Plaintiffs' Complaint at this time.

2031. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2031 of Plaintiffs' Complaint

at this time.

2032. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2032 of Plaintiffs' Complaint at this time.

2033. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2033 of Plaintiffs' Complaint at this time.

2032. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2032 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST DANIEL BIECHELE

### Count Two Hundred Ninety
### By Edward Corbett, Jr., as Administrator of the Estate of Edward Corbett, III (Negligence)

2033. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1

through 2032 of Plaintiffs' Complaint as if more fully set forth herein.

2034. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2034 of Plaintiffs' Complaint at this time.

2035. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2035 of Plaintiffs' Complaint at this time.

2036. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2036 of Plaintiffs' Complaint at this time.

2037. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2037 of Plaintiffs' Complaint

at this time.

2038. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2038 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST PAUL WOOLNOUGH AND KNIGHT RECORDS, INC.**

**Count Two Hundred Ninety-One**
**By Edward Corbett, Jr., as Administrator of the Estate of Edward Corbett, III**
**(Negligence)**

2039. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2038 of Plaintiffs' Complaint as if more fully set forth herein.

2040. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2040 of Plaintiffs' Complaint at this time.

2041. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2041 of Plaintiffs' Complaint

at this time.

2042. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2042 of Plaintiffs' Complaint at this time.

2043. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2043 of Plaintiffs' Complaint at this time.

2044. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2044 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST ANHEUSER-BUSCH, INC.

### Count Two Hundred Ninety-Two
**By Edward Corbett, Jr., as Administrator of the Estate of Edward Corbett, III (Negligence)**

2045. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1

through 2044 of Plaintiffs' Complaint as if more fully set forth herein.

2046. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2046 of Plaintiffs' Complaint at this time.

2047. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2047 of Plaintiffs' Complaint at this time.

2048. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2048 of Plaintiffs' Complaint at this time.

2049. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2049 of Plaintiffs' Complaint

at this time.

2050. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2050 of Plaintiffs' Complaint at this time.

2051. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2051 of Plaintiffs' Complaint at this time.

2052. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2052 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST MCLAUGHLIN & MORAN, INC.

### Count Two Hundred Ninety-Three
**By Edward Corbett, Jr., as Administrator of the Estate of Edward Corbett, III (Negligence)**

2053. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1

through 2052 of Plaintiffs' Complaint as if more fully set forth herein.

2054. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2054 of Plaintiffs' Complaint at this time.

2055. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2055 of Plaintiffs' Complaint at this time.

2056. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2056 of Plaintiffs' Complaint at this time.

2057. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2057 of Plaintiffs' Complaint

at this time.

2058. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2058 of Plaintiffs' Complaint at this time.

2059. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2059 of Plaintiffs' Complaint at this time.

2060. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2060 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST CLEAR CHANNEL COMMUNICTIONS, INC. d/b/a WHJY

### Count Two Hundred Ninety-Four
### By Edward Corbett, Jr., as Administrator of the Estate of Edward Corbett, III (Negligence)

2061. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1

through 2060 of Plaintiffs' Complaint as if more fully set forth herein.

2062. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2062 of Plaintiffs' Complaint at this time.

2063. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2063 of Plaintiffs' Complaint at this time.

2064. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2064 of Plaintiffs' Complaint at this time.

2065. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2065 of Plaintiffs' Complaint

at this time.

2066. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2066 of Plaintiffs' Complaint at this time.

2067. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2067 of Plaintiffs' Complaint at this time.

2068. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2068 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST LUNA TECH, INC. AND LUNA TECH PYROTECHNIC, GMBH

### Count Two Hundred Ninety-Five
### By Edward Corbett, Jr., as Administrator of the Estate of Edward Corbett, III
### (Negligence)

2069. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1

through 2068 of Plaintiffs' Complaint as if more fully set forth herein.

2070. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2070 of Plaintiffs' Complaint at this time.

2071. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2071 of Plaintiffs' Complaint at this time.

2072. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2072 of Plaintiffs' Complaint at this time.

2073. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2073 of Plaintiffs' Complaint

at this time.

2074. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2074 of Plaintiffs' Complaint at this time.

**Count Two Hundred Ninety-Six**
**By Edward Corbett, Jr., as Administrator of the Estate of Edward Corbett, III**
**(Strict Product Liability)**

2075. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2074 of Plaintiffs' Complaint as if more fully set forth herein.

2076. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2076 of Plaintiffs' Complaint at this time.

2077. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2077 of Plaintiffs' Complaint at this time.

2078. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2078 of Plaintiffs' Complaint at this time.

2079. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2079 of Plaintiffs' Complaint at this time.

2080. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2080 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST JOINT VENTURE LIABILITY AS TO JEFFREY DERDERIAN, MICHAEL DERDERIAN, AND DERCO LLC D/B/A THE STATION, MANIC MUSIC MANAGEMENT, INC., JACK RUSSELL, MARK KENDALL, DAVID FILICE, ERIC POWERS, DANIEL BIECHELE, PAUL WOOLNOUGH, KNIGHT RECORDS, INC., ANHEUSER-BUSCH INC., MCLAUGHLIN & MORAN, INC., CLEAR CHANNEL COMMUNICATIONS, INC., D/B/A WHJY-FM, MOTIVA ENTERPRISES, LLC AND SHELL OIL CORPORATION, TOWN OF WEST WARWICK AND STATE OF RHODE ISLAND**

**Count Two Hundred Ninety-Seven**
**By Edward Corbett, Jr., as Administrator of the Estate of Edward Corbett, III**
**(Negligence)**

2081. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2080 of Plaintiffs' Complaint as if more fully set forth herein.

2082. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2082 of Plaintiffs' Complaint at this time.

2083. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2083 of Plaintiffs' Complaint at this time.

2084. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2084 of Plaintiffs' Complaint at this time.

2085. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2085 of Plaintiffs' Complaint at this time.

2086. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2086 of Plaintiffs' Complaint at this time.

2087. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2087 of Plaintiffs' Complaint at this time.

2088. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2088 of Plaintiffs' Complaint at this time.

2089. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2089 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST SHELL OIL CORPORATION AND MOTIVA ENTERPRISES, LLC**

**Count Two Hundred Ninety-Eight**
**By Edward Corbett, Jr., as Administrator of the Estate of Edward Corbett, III**
**(Negligence)**

2090. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2089 of Plaintiffs' Complaint as if more fully set forth herein.

2091. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2091 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

2092. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2092 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

2093. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2093 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

2094. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2094 of Plaintiffs' Complaint at this time.

2095. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2095 of Plaintiffs' Complaint at this time.

2096. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2096 of Plaintiffs' Complaint at this time.

2097. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2097 of Plaintiffs' Complaint at this time.

2098. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2098 of Plaintiffs' Complaint at this time.

2099. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2099 of Plaintiffs' Complaint at this time.

2100. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2100 of Plaintiffs' Complaint at this time.

2101. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2101 of Plaintiffs' Complaint at this time.

2102. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2102 of Plaintiffs' Complaint at this time.

2103. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2103 of Plaintiffs' Complaint at this time.

2104. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2104 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST TOWN OF WEST WARWICK AND FIRE INSPECTOR, DENIS LAROCQUE

### Count Two Hundred Ninety-Nine
**By Edward Corbett, Jr., as Administrator of the Estate of Edward Corbett, III (Negligence)**

2105. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2104 of Plaintiffs' Complaint as if more fully set forth herein.

2106. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2106 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

2107. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2107 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

2108. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2108 of Plaintiffs' Complaint at this time.

2109. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2109 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

2110. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2110 of Plaintiffs' Complaint at this time.

2111. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2111 of Plaintiffs' Complaint at this time.

2112. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2112 of Plaintiffs' Complaint at this time.

2113. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2113 of Plaintiffs' Complaint at this time.

2114. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2114 of Plaintiffs' Complaint at this time.

2115. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2115 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

2116. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2116 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

**CLAIMS AGAINST STATE OF RHODE ISLAND AND IRVING J. OWENS, FIRE MARSHAL**

**Count Three Hundred**
**By Edward Corbett, Jr., as Administrator of the Estate of Edward Corbett, III**

**(Negligence)**

2117. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2116 of Plaintiffs' Complaint as if more fully set forth herein.

2118. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2118 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

2119. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2119 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

2120. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2120 of Plaintiffs' Complaint at this time.

2121. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2121 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

2122. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2122 of Plaintiffs' Complaint at this time.

2123. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2123 of Plaintiffs' Complaint at this time.

2124. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2124 of Plaintiffs' Complaint at this time.

2125. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2125 of Plaintiffs' Complaint at this time.

2126. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2126 of Plaintiffs' Complaint at this time.

2127. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2127 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

2128. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2128 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

## CLAIMS AGAINST AMERICAN FOAM CORPORATION

### Count Three Hundred One
**By Paul and Betty Roe, As Co-Administrators of the Estate of Lori K. Durante (Negligence)**

2129. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2128 of Plaintiffs' Complaint as if more fully set forth herein.

2130. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2130 of Plaintiffs' Complaint at this time.

2131. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2131 of Plaintiffs' Complaint at this time.

2132. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2132 of Plaintiffs' Complaint at this time.

2133. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2133 of Plaintiffs' Complaint at this time.

2134. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2134 of Plaintiffs' Complaint at this time.

**Count Three Hundred Two**
**By Paul and Betty Roe, Individually**
**for Loss of Consortium**
**(Negligence)**

2135. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2134 of Plaintiffs' Complaint as if more fully set forth herein.

2136. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2136 of Plaintiffs' Complaint at this time.

**Count Three Hundred Three**
**By Paul and Betty Roe, As Co-Administrators**
**of the Estate of Lori K. Durante**
**(Strict Products Liability)**

2137. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2136 of Plaintiffs' Complaint as if more fully set forth herein.

2138. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2138 of Plaintiffs' Complaint at this time.

2123. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2123 of Plaintiffs' Complaint at this time.

2139. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2139 of Plaintiffs' Complaint at this time.

2140. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2140 of Plaintiffs' Complaint at this time.

2141. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2141 of Plaintiffs' Complaint at this time.

**Count Three Hundred Four**
**By Paul and Betty Roe, Individually**
**for Loss of Consortium**
**(Strict Products Liability)**

2141. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2140 of Plaintiffs' Complaint as if more fully set forth herein.

2142. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2142 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST FOAMEX INTERNATIONAL

### Count Three Hundred Five
**By Paul and Betty Roe, As Co-Administrators of the Estate of Lori K. Durante (Negligence)**

2143. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2142 of Plaintiffs' Complaint as if more fully set forth herein.

2144. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2144 of Plaintiffs' Complaint at this time.

2145. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2145 of Plaintiffs' Complaint at this time.

2146. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2146 of Plaintiffs' Complaint at this time.

2147. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2147 of Plaintiffs' Complaint at this time.

2148. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2148 of Plaintiffs' Complaint at this time.

**Count Three Hundred Six**
**By Paul and Betty Roe, Individually**
**for Loss of Consortium**
**(Negligence)**

2149. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2148 of Plaintiffs' Complaint as if more fully set forth herein.

2150. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these

privileges, I respectfully decline to answer the allegations in Paragraph 2150 of Plaintiffs' Complaint at this time.

**Count Three Hundred Seven**
**By Paul and Betty Roe, As Co-Administrators of the Estate of Lori K. Durante**
**(Strict Products Liability)**

2151. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2151 of Plaintiffs' Complaint as if more fully set forth herein.

2152. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2152 of Plaintiffs' Complaint at this time.

2153. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2153 of Plaintiffs' Complaint at this time.

2154. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2154 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

2155. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2155 of Plaintiffs' Complaint at this time.

2156. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2156 of Plaintiffs' Complaint at this time.

2157. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2157 of Plaintiffs' Complaint at this time.

2158. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2158 of Plaintiffs' Complaint at this time.

2159. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2159 of Plaintiffs' Complaint at this time.

**Count Three Hundred Eight**
**By Paul and Betty Roe, Individually**
**for Loss of Consortium**
**(Strict Products Liability)**

2160. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2160 of Plaintiffs' Complaint as if more fully set forth herein.

2161. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2161 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST BARRY H. WARNER**

**Count Three Hundred Nine**
**By Paul and Betty Roe, As Co-Administrators**
**of the Estate of Lori K. Durante**
**(Negligence)**

2162. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2162 of Plaintiffs' Complaint as if more fully set forth herein.

2163. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2163 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

2164. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2164 of Plaintiffs' Complaint at this time.

2165. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2165 of Plaintiffs' Complaint at this time.

2166. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2166 of Plaintiffs' Complaint at this time.

2167. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2167 of Plaintiffs' Complaint at this time.

2168. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2168 of Plaintiffs' Complaint at this time.

2169. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2169 of Plaintiffs' Complaint at this time.

**Count Three Hundred Ten**
**By Paul and Betty Roe, Individually**
**for Loss of Consortium**
**(Negligence)**

2170. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2169 of Plaintiffs' Complaint as if more fully set forth herein.

2171. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2171 of Plaintiffs' Complaint at this time.

**Count Three Hundred Eleven**
**By Paul and Betty Roe, As Co-Administrators**
**of the Estate of Lori K. Durante**
**(Strict Products Liability)**

2172. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2171 of Plaintiffs' Complaint as if more fully set forth herein.

2173. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2173 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

2174. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2174 of Plaintiffs' Complaint at this time.

2175. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2175 of Plaintiffs' Complaint at this time.

2176. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2176 of Plaintiffs' Complaint at this time.

2177. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2177 of Plaintiffs' Complaint at this time.

2178. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2178 of Plaintiffs' Complaint at this time.

2179. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2179 of Plaintiffs' Complaint at this time.

**Count Three Hundred Twelve**
**By Paul and Betty Roe, Individually**
**for Loss of Consortium**
**(Strict Products Liability)**

2180. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2179 of Plaintiffs' Complaint as if more fully set forth herein.

2181. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2181 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST JEFFREY DERDERIAN, MICHAEL DERDERIAN AND DERCO, LLC d/b/a "THE STATION"**

**Count Three Hundred Thirteen**
**By Paul and Betty Roe, As Co-Administrators of the Estate of Lori K. Durante (Negligence)**

2182. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2181 of Plaintiffs' Complaint as if more fully set forth herein.

2183. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2183 of Plaintiffs' Complaint at this time.

2184. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2184 of Plaintiffs' Complaint at this time.

2185. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2185 of Plaintiffs' Complaint at this time.

2186. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2186 of Plaintiffs' Complaint at this time.

2187. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2187 of Plaintiffs' Complaint at this time.

**Count Three Hundred Fourteen**
**By Paul and Betty Roe, Individually**
**for Loss of Consortium**
**(Negligence)**

2188. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2188 of Plaintiffs' Complaint as if more fully set forth herein.

2189. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2189 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST MANIC MUSIC MANAGEMENT, INC.

### Count Three Hundred Fifteen
### By Paul and Betty Roe, As Co-Administrators of the Estate of Lori K. Durante (Negligence)

2190. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2189 of Plaintiffs' Complaint as if more fully set forth herein.

2191. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2191 of Plaintiffs' Complaint at this time.

2192. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2192 of Plaintiffs' Complaint at this time.

2193. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2193 of Plaintiffs' Complaint at this time.

2194. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2194 of Plaintiffs' Complaint at this time.

2195. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2195 of Plaintiffs' Complaint at this time.

**Count Three Hundred Sixteen**
**By Paul and Betty Roe, Individually**
**for Loss of Consortium**
**(Negligence)**

2196. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2195 of Plaintiffs' Complaint as if more fully set forth herein.

2197. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these

privileges, I respectfully decline to answer the allegations in Paragraph 2197 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST JACK RUSSELL, MARK KENDALL, DAVID FILICE, ERIC POWERS d/b/a "GREAT WHITE"**

**Count Three Hundred Seventeen**
**By Paul and Betty Roe, As Co-Administrators of the Estate of Lori K. Durante (Negligence)**

2198. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2197 of Plaintiffs' Complaint as if more fully set forth herein.

2199. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2199 of Plaintiffs' Complaint at this time.

2200. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2200 of Plaintiffs' Complaint at this time.

2201. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these

privileges, I respectfully decline to answer the allegations in Paragraph 2201 of Plaintiffs' Complaint at this time.

2202. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2202 of Plaintiffs' Complaint at this time.

2203. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2203 of Plaintiffs' Complaint at this time.

**Count Three Hundred Eighteen**
**By Paul and Betty Roe, Individually**
**for Loss of Consortium**
**(Negligence)**

2204. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2203 of Plaintiffs' Complaint as if more fully set forth herein.

2205. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2205 of Plaintiffs' Complaint

at this time.

**CLAIMS AGAINST DANIEL BIECHELE**

**Count Three Hundred Nineteen**
**By Paul and Betty Roe, As Co-Administrators of the Estate of Lori K. Durante (Negligence)**

2206. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2205 of Plaintiffs' Complaint as if more fully set forth herein.

2207. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2207 of Plaintiffs' Complaint at this time.

2208. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2208 of Plaintiffs' Complaint at this time.

2209. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2209 of Plaintiffs' Complaint

at this time.

2210. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2210 of Plaintiffs' Complaint at this time.

2211. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2211 of Plaintiffs' Complaint at this time.

**Count Three Hundred Twenty**
**By Paul and Betty Roe, Individually**
**for Loss of Consortium**
**(Negligence)**

2212. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2211 of Plaintiffs' Complaint as if more fully set forth herein.

2213. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2213 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST PAUL WOOLNOUGH AND**

**KNIGHT RECORDS, INC.**

**Count Three Hundred Twenty-One**
**By Paul and Betty Roe, As Co-Administrators of the Estate of Lori K. Durante (Negligence)**

2214. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2213 of Plaintiffs' Complaint as if more fully set forth herein.

2215. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2215 of Plaintiffs' Complaint at this time.

2216. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2216 of Plaintiffs' Complaint at this time.

2217. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2217 of Plaintiffs' Complaint at this time.

2218. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2218 of Plaintiffs' Complaint at this time.

2219. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2219 of Plaintiffs' Complaint at this time.

**Count Three Hundred Twenty-Two**
**By Paul and Betty Roe, Individually**
**for Loss of Consortium**
**(Negligence)**

2220. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2219 of Plaintiffs' Complaint as if more fully set forth herein.

2221. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2221 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST ANHEUSER-BUSCH, INC.**

**Count Three Hundred Twenty-Three**

**By Paul and Betty Roe, As Co-Administrators of the Estate of Lori K. Durante (Negligence)**

2222. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2221 of Plaintiffs' Complaint as if more fully set forth herein.

2223. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2223 of Plaintiffs' Complaint at this time.

2224. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2224 of Plaintiffs' Complaint at this time.

2225. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2225 of Plaintiffs' Complaint at this time.

2226. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2226 of Plaintiffs' Complaint at this time.

2227. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2227 of Plaintiffs' Complaint at this time.

2228. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2228 of Plaintiffs' Complaint at this time.

2229. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2229 of Plaintiffs' Complaint at this time.

**Count Three Hundred Twenty-Four**
**By Paul and Betty Roe, Individually**
**for Loss of Consortium**
**(Negligence)**

2230. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2229 of Plaintiffs' Complaint as if more fully set forth herein.

2231. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2231 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST MCLAUGHLIN & MORAN, INC.**

**Count Three Hundred Twenty-Three**
**By Paul and Betty Roe, As Co-Administrators of the Estate of Lori K. Durante**
**(Negligence)**

2232. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2231 of Plaintiffs' Complaint as if more fully set forth herein.

2233. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2233 of Plaintiffs' Complaint at this time.

2234. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these

privileges, I respectfully decline to answer the allegations in Paragraph 2234 of Plaintiffs' Complaint at this time.

2235. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2235 of Plaintiffs' Complaint at this time.

2236. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2236 of Plaintiffs' Complaint at this time.

2237. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2237 of Plaintiffs' Complaint at this time.

2238. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these

privileges, I respectfully decline to answer the allegations in Paragraph 2238 of Plaintiffs' Complaint at this time.

2239. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2239 of Plaintiffs' Complaint at this time.

**Count Three Hundred Twenty-Six**
**By Paul and Betty Roe, Individually**
**for Loss of Consortium**
**(Negligence)**

2240. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2239 of Plaintiffs' Complaint as if more fully set forth herein.

2241. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2241 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST CLEAR CHANNEL COMMUNICTIONS, INC.**
**d/b/a WHJY**

**Count Three Hundred Twenty-Seven**
**By Paul and Betty Roe, As Co-Administrators**
**of the Estate of Lori K. Durante**
**(Negligence)**

2242. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1

through 2241 of Plaintiffs' Complaint as if more fully set forth herein.

2243. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2243 of Plaintiffs' Complaint at this time.

2244. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2244 of Plaintiffs' Complaint at this time.

2245. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2245 of Plaintiffs' Complaint at this time.

2246. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2246 of Plaintiffs' Complaint

at this time.

2247. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2247 of Plaintiffs' Complaint at this time.

2248. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2248 of Plaintiffs' Complaint at this time.

2249. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2249 of Plaintiffs' Complaint at this time.

**Count Three Hundred Twenty-Eight**
**By Paul and Betty Roe, Individually**
**for Loss of Consortium**
**(Negligence)**

2250. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2249 of Plaintiffs' Complaint as if more fully set forth herein.

2251. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2251 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST LUNA TECH, INC. AND LUNA TECH PYROTECHNIC, GMBH**

**Count Three Hundred Twenty-Nine**
**By Paul and Betty Roe, As Co-Administrators of the Estate of Lori K. Durante**
**(Negligence)**

2252. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2251 of Plaintiffs' Complaint as if more fully set forth herein.

2253. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2253 of Plaintiffs' Complaint at this time.

2254. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2254 of Plaintiffs' Complaint at this time.

2255. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2255 of Plaintiffs' Complaint at this time.

2256. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2256 of Plaintiffs' Complaint at this time.

2257. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2257 of Plaintiffs' Complaint at this time.

**Count Three Hundred Thirty**
**By Paul and Betty Roe, Individually**
**for Loss of Consortium**
**(Negligence)**

2258. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2257 of Plaintiffs' Complaint as if more fully set forth herein.

2259. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2259 of Plaintiffs' Complaint at this time.

**Count Three Hundred Thirty-One**
**By Paul and Betty Roe, as Co-Administrators**
**of the Estate of Lori K. Durante**
**(Strict Products Liability)**

2260. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2259 of Plaintiffs' Complaint as if more fully set forth herein.

2261. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2261 of Plaintiffs' Complaint at this time.

2262. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2262 of Plaintiffs' Complaint at this time.

2263. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2263 of Plaintiffs' Complaint at this time.

2264. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2264 of Plaintiffs' Complaint at this time.

2265. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2265 of Plaintiffs' Complaint at this time.

**Count Three Hundred Thirty-Two**
**By Paul and Betty Roe, Individually**
**Loss of Consortium**
**(Strict Products Liability)**

2266. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2265 of Plaintiffs' Complaint as if more fully set forth herein.

2267. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2267 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST JOINT VENTURE LIABILITY AS TO JEFFREY DERDERIAN, MICHAEL DERDERIAN, AND DERCO LLC D/B/A THE STATION, MANIC MUSIC MANAGEMENT, INC., JACK RUSSELL, MARK KENDALL, DAVID FILICE, ERIC POWERS, DANIEL BIECHELE, PAUL WOOLNOUGH, KNIGHT RECORDS, INC., ANHEUSER-BUSCH INC., MCLAUGHLIN & MORAN, INC., CLEAR CHANNEL COMMUNICATIONS, INC., D/B/A WHJY-FM, MOTIVA ENTERPRISES, LLC AND SHELL OIL CORPORATION, TOWN OF WEST WARWICK AND STATE OF RHODE ISLAND**

**Count Three Hundred Thirty-Three**
**By Paul and Betty Roe, As Co-Administrators**
**of the Estate of Lori K. Durante**
**(Negligence)**

2268. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2267 of Plaintiffs' Complaint as if more fully set forth herein.

2269. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2269 of Plaintiffs' Complaint at this time.

2270. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2270 of Plaintiffs' Complaint at this time.

2271. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2271 of Plaintiffs' Complaint at this time.

2272. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2272 of Plaintiffs' Complaint at this time.

2273. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2273 of Plaintiffs' Complaint at this time.

2274. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2274 of Plaintiffs' Complaint at this time.

2275. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2275 of Plaintiffs' Complaint at this time.

2276. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2276 of Plaintiffs' Complaint at this time.

**Count Three Hundred Thirty-Four**
**By Paul and Betty Roe, Individually**
**for Loss of Consortium**
**(Negligence)**

2277. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2276 of Plaintiffs' Complaint as if more fully set forth herein.

2278. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2278 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST SHELL OIL CORPORATION AND**
**MOTIVA ENTERPRISES, LLC**

**Count Three Hundred Thirty-Five**
**By Paul and Betty Roe, As Co-Administrators**
**of the Estate of Lori K. Durante**
**(Negligence)**

2279. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2278 of Plaintiffs' Complaint as if more fully set forth herein.

2280. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2280 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

2281. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2281 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

2282. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2282 of Plaintiffs' Complaint at this time.

2283. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2283 of Plaintiffs' Complaint at this time.

2284. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2284 of Plaintiffs' Complaint at this time.

2285. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2285 of Plaintiffs' Complaint at this time.

2286. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2286 of Plaintiffs' Complaint at this time.

2287. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2287 of Plaintiffs' Complaint at this time.

2288. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2288 of Plaintiffs' Complaint at this time.

2289. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2289 of Plaintiffs' Complaint at this time.

2290. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2290 of Plaintiffs' Complaint at this time.

2291. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2291 of Plaintiffs' Complaint at this time.

2292. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2292 of Plaintiffs' Complaint at this time.

2293. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2293 of Plaintiffs' Complaint at this time.

**Count Three Hundred Thirty-Six**
**By Paul and Betty Roe, Individually**
**for Loss of Consortium**
**(Negligence)**

2294. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2293 of Plaintiffs' Complaint as if more fully set forth herein.

2295. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2295 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST TOWN OF WEST WARWICK AND**
**FIRE INSPECTOR, DENIS LAROCQUE**

**Count Three Hundred Thirty-Seven**
**By Paul and Betty Roe, As Co-Administrators**

**of the Estate of Lori K. Durante**
**(Negligence)**

2296. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2295 of Plaintiffs' Complaint as if more fully set forth herein.

2297. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2297 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

2298. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2298 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

2299. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2299 of Plaintiffs' Complaint at this time.

2300. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2300 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

2301. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2301 of Plaintiffs' Complaint

at this time.

2302. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2302 of Plaintiffs' Complaint at this time.

2303. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2303 of Plaintiffs' Complaint at this time.

2304. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2304 of Plaintiffs' Complaint at this time.

2305. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2305 of Plaintiffs' Complaint

at this time.

2306. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2306 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

2307. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2307 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

**Count Three Hundred Thirty-Eight**
**By Paul and Betty Roe, Individually**
**for Loss of Consortium**
**(Negligence)**

2308. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2307 of Plaintiffs' Complaint as if more fully set forth herein.

2309. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2309 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST STATE OF RHODE ISLAND AND**
**IRVING J. OWENS, FIRE MARSHAL**

**Count Three Hundred Thirty-Seven**
**By Paul and Betty Roe, As Co-Administrators**
**of the Estate of Lori K. Durante**
**(Negligence)**

2310. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2309 of Plaintiffs' Complaint as if more fully set forth herein.

2311. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2311 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

2312. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2312 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

2313. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2313 of Plaintiffs' Complaint at this time.

2314. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2314 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

2315. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2315 of Plaintiffs' Complaint at this time.

2316. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2316 of Plaintiffs' Complaint at this time.

2317. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2317 of Plaintiffs' Complaint at this time.

2318. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2318 of Plaintiffs' Complaint at this time.

2319. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2319 of Plaintiffs' Complaint at this time.

2320. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2320 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

2321. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2321 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

**Count Three Hundred Forty**
**By Paul and Betty Roe, Individually**
**for Loss of Consortium**
**(Negligence)**

2322. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2321 of Plaintiffs' Complaint as if more fully set forth herein.

2323. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2323 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST AMERICAN FOAM CORPORATION**

**Count Three Hundred Forty-One**
**By Daniel Davidson**
**(Negligence)**

2324. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2323 of Plaintiffs' Complaint as if more fully set forth herein.

2325. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2325 of Plaintiffs' Complaint

at this time.

2326. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2326 of Plaintiffs' Complaint at this time.

2327. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2327 of Plaintiffs' Complaint at this time.

2328. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2328 of Plaintiffs' Complaint at this time.

2329. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2329 of Plaintiffs' Complaint

at this time.

**Count Three Hundred Forty-Two**
**By Daniel Davidson**
**(Strict Products Liability)**

2330. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2329 of Plaintiffs' Complaint as if more fully set forth herein.

2331. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2331 of Plaintiffs' Complaint at this time.

2332. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2332 of Plaintiffs' Complaint at this time.

2333. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2333 of Plaintiffs' Complaint at this time.

2334. Based on the criminal prosecution I currently face in the matter of State of Rhode

**Count One Hundred Seventy-Six**
**By Michelle Malardo**
**(Strict Product Liability)**

1265. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1264 of Plaintiffs' Complaint as if more fully set forth herein.

1266. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1266 of Plaintiffs' Complaint at this time.

1267. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1267 of Plaintiffs' Complaint at this time.

1268. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1268 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1269. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1269 of Plaintiffs' Complaint

at this time.

1274. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1274 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST JOINT VENTURE LIABILITY AS TO JEFFREY DERDERIAN, MICHAEL DERDERIAN, AND DERCO LLC D/B/A THE STATION, MANIC MUSIC MANAGEMENT, INC., JACK RUSSELL, MARK KENDALL, DAVID FILICE, ERIC POWERS, DANIEL BIECHELE, PAUL WOOLNOUGH, KNIGHT RECORDS, INC., ANHEUSER-BUSCH INC., MCLAUGHLIN & MORAN, INC., CLEAR CHANNEL COMMUNICATIONS, INC., D/B/A WHJY-FM, MOTIVA ENTERPRISES, LLC AND SHELL OIL CORPORATION, TOWN OF WEST WARWICK AND STATE OF RHODE ISLAND**

**Count One Hundred Seventy-Seven**
**By Michelle Malardo**
**(Negligence)**

1275. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1274 of Plaintiffs' Complaint as if more fully set forth herein.

1276. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1276 of Plaintiffs' Complaint at this time.

1277. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1281 of Plaintiffs' Complaint at this time.

1282. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1282 of Plaintiffs' Complaint at this time.

1283. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1283 of Plaintiffs' Complaint at this time.

1284. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1284 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST SHELL OIL CORPORATION AND MOTIVA ENTERPRISES, LLC**

**Count One Hundred Seventy-Eight**
**By Michelle Malardo**
**(Negligence)**

1285. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1284 of Plaintiffs' Complaint as if more fully set forth herein.

1286. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1286 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1287. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1287 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1288. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1288 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1289. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1289 of Plaintiffs' Complaint at this time.

1290. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1290 of Plaintiffs' Complaint at this time.

1291. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1291 of Plaintiffs' Complaint at this time.

1292. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1292 of Plaintiffs' Complaint at this time.

1293. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1293 of Plaintiffs' Complaint at this time.

1294. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1294 of Plaintiffs' Complaint at this time.

1295. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1295 of Plaintiffs' Complaint at this time.

1296. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1296 of Plaintiffs' Complaint at this time.

1297. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1297 of Plaintiffs' Complaint at this time.

1298. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1298 of Plaintiffs' Complaint at this time.

1299. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1299 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST TOWN OF WEST WARWICK AND FIRE INSPECTOR, DENIS LAROCQUE**

**Count Hundred Seventy-Nine**
**By Michelle Malardo**
**(Negligence)**

1300. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1299 of Plaintiffs' Complaint as if more fully set forth herein.

1301. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1301 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1302. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1302 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1303. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1303 of Plaintiffs' Complaint at this time.

1304. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1304 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1305. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1305 of Plaintiffs' Complaint at this time.

1306. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1306 of Plaintiffs' Complaint at this time.

1307. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1307 of Plaintiffs' Complaint at this time.

1308. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1308 of Plaintiffs' Complaint at this time.

1309. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1309 of Plaintiffs' Complaint at this time.

1310. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1310 of Plaintiffs' Complaint at this time.

1311. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1311 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1312. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1312 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

**CLAIMS AGAINST STATE OF RHODE ISLAND AND IRVING J. OWENS, FIRE MARSHAL**

**Count One Hundred Eighty**
**By Michelle Malardo**
**(Negligence)**

1313. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1312 of Plaintiffs' Complaint as if more fully set forth herein.

1314. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1314 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1315. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1315 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1316. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1316 of Plaintiffs' Complaint at this time.

1317. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1317 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1318. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1318 of Plaintiffs' Complaint at this time.

1319. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1319 of Plaintiffs' Complaint at this time.

1320. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1320 of Plaintiffs' Complaint at this time.

1321. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1321 of Plaintiffs' Complaint at this time.

1322. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1322 of Plaintiffs' Complaint at this time.

1323. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1323 of Plaintiffs' Complaint at this time.

1324. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1324 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1325. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1325 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

## CLAIMS AGAINST AMERICAN FOAM CORPORATION

### Count One Hundred Eighty-One
### By Richard Sanetti
### (Negligence)

1326. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1325 of Plaintiffs' Complaint as if more fully set forth herein.

1327. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1327 of Plaintiffs' Complaint at this time.

1328. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1328 of Plaintiffs' Complaint at this time.

1329. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1329 of Plaintiffs' Complaint at this time.

1330. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1330 of Plaintiffs' Complaint at this time.

1331. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1331 of Plaintiffs' Complaint at this time.

1332. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1332 of Plaintiffs' Complaint at this time.

**Count One Hundred Eighty-Two**
**By Patricia Sanetti**
**Loss of Consortium**
**(Negligence)**

1333. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1332 of Plaintiffs' Complaint as if more fully set forth herein.

1334. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1334 of Plaintiffs' Complaint at this time.

**Count One Hundred Eighty-Three**
**By Richard Sanetti**
**(Strict Products Liability)**

1335. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1334 of Plaintiffs' Complaint as if more fully set forth herein.

1336. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these

privileges, I respectfully decline to answer the allegations in Paragraph 1336 of Plaintiffs' Complaint at this time.

1337. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1337 of Plaintiffs' Complaint at this time.

1338. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1338 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1339. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1339 of Plaintiffs' Complaint at this time.

1340. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1340 of Plaintiffs' Complaint at this time.

1341. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1341 of Plaintiffs' Complaint at this time.

1342. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1342 of Plaintiffs' Complaint at this time.

1343. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1343 of Plaintiffs' Complaint at this time.

1344. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1344 of Plaintiffs' Complaint at this time.

**Count One Hundred Eighty-Four**
**By Patricia Sanetti**

**Loss of Consortium**
**(Strict Products Liability)**

1345. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1344 of Plaintiffs' Complaint as if more fully set forth herein.

1346. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1346 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST FOAMEX INTERNATIONAL**

**Count One Hundred Eighty-Five**
**By Richard Sanetti**
**(Negligence)**

1347. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1346 of Plaintiffs' Complaint as if more fully set forth herein.

1348. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1348 of Plaintiffs' Complaint at this time.

1349. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1349 of Plaintiffs' Complaint at this time.

1350. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1350 of Plaintiffs' Complaint at this time.

1351. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1351 of Plaintiffs' Complaint at this time.

1352. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1352 of Plaintiffs' Complaint at this time.

1353. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1353 of Plaintiffs' Complaint at this time.

**Count One Hundred Eighty-Six**
**By Patricia Sanetti**
**Loss of Consortium**
**(Negligence)**

1354. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1353 of Plaintiffs' Complaint as if more fully set forth herein.

1355. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1355 of Plaintiffs' Complaint at this time.

**Count One Hundred Eighty-Seven**
**By Richard Sanetti**
**(Strict Products Liability)**

1356. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1355 of Plaintiffs' Complaint as if more fully set forth herein.

1357. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1357 of Plaintiffs' Complaint at this time.

1358. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1358 of Plaintiffs' Complaint at this time.

1359. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1359 of Plaintiffs' Complaint at this time.

1360. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1360 of Plaintiffs' Complaint at this time.

1361. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1361 of Plaintiffs' Complaint at this time.

1362. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1362 of Plaintiffs' Complaint at this time.

1363. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1363 of Plaintiffs' Complaint at this time.

1364. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1364 of Plaintiffs' Complaint at this time.

1365. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1365 of Plaintiffs' Complaint at this time.

**Count One Hundred Eighty-Eight**
**By Patricia Sanetti**
**Loss of Consortium**
**(Strict Products Liability)**

1366. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1365 of Plaintiffs' Complaint as if more fully set forth herein.

1367. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1367 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST BARRY H. WARNER**

**Count One Hundred Eighty-Nine**
**By Richard Sanetti**
**(Negligence)**

1368. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1367 of Plaintiffs' Complaint as if more fully set forth herein.

1369. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1369 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1370. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1370 of Plaintiffs' Complaint

at this time.

1371. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1371 of Plaintiffs' Complaint at this time.

1372. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1372 of Plaintiffs' Complaint at this time.

1373. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1373 of Plaintiffs' Complaint at this time.

1374. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1374 of Plaintiffs' Complaint

at this time.

1375. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1375 of Plaintiffs' Complaint at this time.

1376. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1376 of Plaintiffs' Complaint at this time.

**Count One Hundred Ninety**
**By Patricia Sanetti**
**Loss of Consortium**
**(Negligence)**

1377. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1376 of Plaintiffs' Complaint as if more fully set forth herein.

1378. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1378 of Plaintiffs' Complaint at this time.

**Count One Hundred Ninety-One**

**By Richard Sanetti**
**(Strict Products Liability)**

1379. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1378 of Plaintiffs' Complaint as if more fully set forth herein.

1380. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1380 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1381. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1381 of Plaintiffs' Complaint at this time.

1382. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1382 of Plaintiffs' Complaint at this time.

1383. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1383 of Plaintiffs' Complaint

at this time.

1384. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1384 of Plaintiffs' Complaint at this time.

1385. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1385 of Plaintiffs' Complaint at this time.

1386. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1386 of Plaintiffs' Complaint at this time.

1387. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1387 of Plaintiffs' Complaint

at this time.

**Count One Hundred Ninety-Two**
**By Patricia Sanetti**
**Loss of Consortium**
**(Strict Products Liability)**

1388. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1387 of Plaintiffs' Complaint as if more fully set forth herein.

1389. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1389 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST JEFFREY DERDERIAN, MICHAEL DERDERIAN AND DERCO, LLC d/b/a "THE STATION"**

**Count One Hundred Ninety-Three**
**By Richard Sanetti**
**(Negligence)**

1390. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1389 of Plaintiffs' Complaint as if more fully set forth herein.

1391. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1391 of Plaintiffs' Complaint at this time.

1392. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1392 of Plaintiffs' Complaint at this time.

1393. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1393 of Plaintiffs' Complaint at this time.

1394. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1394 of Plaintiffs' Complaint at this time.

1395. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1395 of Plaintiffs' Complaint at this time.

1396. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1396 of Plaintiffs' Complaint at this time.

**Count One Hundred Ninety-Four**
**By Patricia Sanetti**
**Loss of Consortium**
**(Negligence)**

1397. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1396 of Plaintiffs' Complaint as if more fully set forth herein.

1398. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1398 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST MANIC MUSIC MANAGEMENT, INC.**

**Count One Hundred Ninety-Five**
**By Richard Sanetti**
**(Negligence)**

1399. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1398 of Plaintiffs' Complaint as if more fully set forth herein.

1400. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1400 of Plaintiffs' Complaint at this time.

1401. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1401 of Plaintiffs' Complaint at this time.

1402. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1402 of Plaintiffs' Complaint at this time.

1403. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1403 of Plaintiffs' Complaint at this time.

1404. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1404 of Plaintiffs' Complaint at this time.

1405. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1405 of Plaintiffs' Complaint at this time.

**Count One Hundred Ninety-Six**
**By Patricia Sanetti**
**Loss of Consortium**
**(Negligence)**

1406. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1405 of Plaintiffs' Complaint as if more fully set forth herein.

1407. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1407 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST JACK RUSSELL, MARK KENDALL, DAVID FILICE, ERIC POWERS d/b/a "GREAT WHITE"**

**Count One Hundred Ninety-Seven**
**By Richard Sanetti**
**(Negligence)**

1408. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1

through 1407 of Plaintiffs' Complaint as if more fully set forth herein.

1409. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1409 of Plaintiffs' Complaint at this time.

1410. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1410 of Plaintiffs' Complaint at this time.

1411. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1411 of Plaintiffs' Complaint at this time.

1412. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1412 of Plaintiffs' Complaint

at this time.

1413. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1413 of Plaintiffs' Complaint at this time.

1414. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1414 of Plaintiffs' Complaint at this time.

## Count One Hundred Ninety-Eight
## By Patricia Sanetti
## Loss of Consortium
## (Negligence)

1415. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1414 of Plaintiffs' Complaint as if more fully set forth herein.

1416. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1416 of Plaintiffs' Complaint at this time.

**Count One Hundred Ninety-Nine**
**By Richard Sanetti**
**(Negligence)**

1417. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1416 of Plaintiffs' Complaint as if more fully set forth herein.

1418. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1418 of Plaintiffs' Complaint at this time.

1419. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1419 of Plaintiffs' Complaint at this time.

1420. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1420 of Plaintiffs' Complaint at this time.

1421. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1421 of Plaintiffs' Complaint at this time.

1422. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1422 of Plaintiffs' Complaint at this time.

1423. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1423 of Plaintiffs' Complaint at this time.

**Count Two Hundred**
**By Patricia Sanetti**
**Loss of Consortium**
**(Negligence)**

1424. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1423 of Plaintiffs' Complaint as if more fully set forth herein.

1425. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1425 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST PAUL WOOLNOUGH AND KNIGHT RECORDS, INC.**

**Count Two Hundred One**
**By Richard Sanetti**
**(Negligence)**

1426. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1425 of Plaintiffs' Complaint as if more fully set forth herein.

1427. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1427 of Plaintiffs' Complaint at this time.

1428. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1428 of Plaintiffs' Complaint at this time.

1429. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1429 of Plaintiffs' Complaint at this time.

1430. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1430 of Plaintiffs' Complaint at this time.

1431. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1431 of Plaintiffs' Complaint at this time.

1432. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1432 of Plaintiffs' Complaint at this time.

**Count Two Hundred Two**
**By Patricia Sanetti**
**Loss of Consortium**
**(Negligence)**

1433. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1432 of Plaintiffs' Complaint as if more fully set forth herein.

1434. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1434 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST ANHEUSER-BUSCH, INC.

### Count Two Hundred Three
### By Richard Sanetti
### (Negligence)

1435. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1434 of Plaintiffs' Complaint as if more fully set forth herein.

1436. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1436 of Plaintiffs' Complaint at this time.

1437. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these

privileges, I respectfully decline to answer the allegations in Paragraph 1437 of Plaintiffs' Complaint at this time.

1438. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1438 of Plaintiffs' Complaint at this time.

1439. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1439 of Plaintiffs' Complaint at this time.

1440. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1440 of Plaintiffs' Complaint at this time.

1441. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these

privileges, I respectfully decline to answer the allegations in Paragraph 1441 of Plaintiffs' Complaint at this time.

1442. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1442 of Plaintiffs' Complaint at this time.

1443. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1443 of Plaintiffs' Complaint at this time.

1444. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1444 of Plaintiffs' Complaint at this time.

**Count Two Hundred Four**
**By Patricia Sanetti**
**Loss of Consortium**
**(Negligence)**

1445. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1

through 1444 of Plaintiffs' Complaint as if more fully set forth herein.

1446. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1446 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST MCLAUGHLIN & MORAN, INC.

### Count Two Hundred Five
### By Richard Sanetti
### (Negligence)

1447. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1446 of Plaintiffs' Complaint as if more fully set forth herein.

1448. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1448 of Plaintiffs' Complaint at this time.

1449. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1449 of Plaintiffs' Complaint at this time.

1450. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1450 of Plaintiffs' Complaint at this time.

1451. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1451 of Plaintiffs' Complaint at this time.

1452. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1452 of Plaintiffs' Complaint at this time.

1453. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1453 of Plaintiffs' Complaint at this time.

1454. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1454 of Plaintiffs' Complaint at this time.

1455. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1455 of Plaintiffs' Complaint at this time.

1456. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1456 of Plaintiffs' Complaint at this time.

**Count Two Hundred Six**
**By Patricia Sanetti**
**Loss of Consortium**
**(Negligence)**

1457. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1456 of Plaintiffs' Complaint as if more fully set forth herein.

1458. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1458 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST CLEAR CHANNEL COMMUNICTIONS, INC.**
**d/b/a WHJY**

**Count Two Hundred Seven**
**By Richard Sanetti**
**(Negligence)**

1459. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1458 of Plaintiffs' Complaint as if more fully set forth herein.

1460. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1460 of Plaintiffs' Complaint at this time.

1461. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1461 of Plaintiffs' Complaint at this time.

1462. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1462 of Plaintiffs' Complaint at this time.

1463. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1463 of Plaintiffs' Complaint at this time.

1464. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1464 of Plaintiffs' Complaint at this time.

1465. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1465 of Plaintiffs' Complaint at this time.

1466. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1466 of Plaintiffs' Complaint at this time.

1467. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1467 of Plaintiffs' Complaint at this time.

1468. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1468 of Plaintiffs' Complaint at this time.

**Count Two Hundred Eight**
**By Patricia Sanetti**
**Loss of Consortium**
**(Negligence)**

1469. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1468 of Plaintiffs' Complaint as if more fully set forth herein.

1470. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1470 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST LUNA TECH, INC. AND**
**LUNA TECH PYROTECHNIC, GMBH**

**Count Two Hundred Nine**
**By Richard Sanetti**
**(Negligence)**

1471. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1470 of Plaintiffs' Complaint as if more fully set forth herein.

1472. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1472 of Plaintiffs' Complaint at this time.

1473. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1473 of Plaintiffs' Complaint at this time.

1474. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1474 of Plaintiffs' Complaint at this time.

1475. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1475 of Plaintiffs' Complaint at this time.

1476. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1476 of Plaintiffs' Complaint at this time.

1477. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1477 of Plaintiffs' Complaint at this time.

**Count Two Hundred Ten**
**By Patricia Sanetti**
**Loss of Consortium**
**(Negligence)**

1478. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1477 of Plaintiffs' Complaint as if more fully set forth herein.

1479. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1479 of Plaintiffs' Complaint at this time.

**Count Two Hundred Eleven**
**By Richard Sanetti**
**(Strict Liability)**

1480. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1479 of Plaintiffs' Complaint as if more fully set forth herein.

1481. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1481 of Plaintiffs' Complaint at this time.

1482. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1482 of Plaintiffs' Complaint

at this time.

1483. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1483 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1484. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1484 of Plaintiffs' Complaint at this time.

1485. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1485 of Plaintiffs' Complaint at this time.

1486. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1486 of Plaintiffs' Complaint at this time.

1487. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1487 of Plaintiffs' Complaint at this time.

1488. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1488 of Plaintiffs' Complaint at this time.

1489. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1489 of Plaintiffs' Complaint at this time.

**Count Two Hundred Twelve**
**By Patricia Sanetti**
**Loss of Consortium**
**(Strict Liability)**

1490. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1489 of Plaintiffs' Complaint as if more fully set forth herein.

1491. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1491 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST JOINT VENTURE LIABILITY AS TO JEFFREY DERDERIAN, MICHAEL DERDERIAN, AND DERCO LLC D/B/A THE STATION, MANIC MUSIC MANAGEMENT, INC., JACK RUSSELL, MARK KENDALL, DAVID FILICE, ERIC POWERS, DANIEL BIECHELE, PAUL WOOLNOUGH, KNIGHT RECORDS, INC., ANHEUSER-BUSCH INC., MCLAUGHLIN & MORAN, INC., CLEAR CHANNEL COMMUNICATIONS, INC., D/B/A WHJY-FM, MOTIVA ENTERPRISES, LLC AND SHELL OIL CORPORATION, TOWN OF WEST WARWICK AND STATE OF RHODE ISLAND**

**Count Two Hundred Thirteen**
**By Richard Sanetti**
**(Negligence)**

1492. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1491 of Plaintiffs' Complaint as if more fully set forth herein.

1493. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1493 of Plaintiffs' Complaint at this time.

1494. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1494 of Plaintiffs' Complaint at this time.

1495. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1495 of Plaintiffs' Complaint at this time.

1496. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1496 of Plaintiffs' Complaint at this time.

1497. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1497 of Plaintiffs' Complaint at this time.

1498. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1498 of Plaintiffs' Complaint at this time.

1499. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1499 of Plaintiffs' Complaint at this time.

1500. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1500 of Plaintiffs' Complaint at this time.

1501. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1501 of Plaintiffs' Complaint at this time.

**Count Two Hundred Fourteen**
**By Patricia Sanetti**
**Loss of Consortium**
**(Negligence)**

1502. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1501 of Plaintiffs' Complaint as if more fully set forth herein.

1503. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1503 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST SHELL OIL CORPORATION AND MOTIVA ENTERPRISES, LLC**

**Count Two Hundred Fifteen**
**By Richard Sanetti**
**(Negligence)**

1504. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1503 of Plaintiffs' Complaint as if more fully set forth herein.

1505. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1505 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1504. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1504 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1505. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1505 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1506. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1506 of Plaintiffs' Complaint

at this time.

1507. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1507 of Plaintiffs' Complaint at this time.

1508. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1508 of Plaintiffs' Complaint at this time.

1509. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1509 of Plaintiffs' Complaint at this time.

1510. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1510 of Plaintiffs' Complaint

at this time.

1511. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1511 of Plaintiffs' Complaint at this time.

1512. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1512 of Plaintiffs' Complaint at this time.

1513. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1513 of Plaintiffs' Complaint at this time.

1514. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1514 of Plaintiffs' Complaint

at this time.

1515. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1515 of Plaintiffs' Complaint at this time.

1516. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1516 of Plaintiffs' Complaint at this time.

**Count Two Hundred Sixteen**
**By Patricia Sanetti**
**Loss of Consortium**
**(Negligence)**

1517. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1516 of Plaintiffs' Complaint as if more fully set forth herein.

1518. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1518 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST TOWN OF WEST WARWICK AND**

## FIRE INSPECTOR, DENIS LAROCQUE

**Count Two Hundred Seventeen**
**By Richard Sanetti**
**(Negligence)**

1519. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1518 of Plaintiffs' Complaint as if more fully set forth herein.

1520. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1520 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1521. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1521 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1522. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1522 of Plaintiffs' Complaint at this time.

1523. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1523 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1524. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these

privileges, I respectfully decline to answer the allegations in Paragraph 1524 of Plaintiffs' Complaint at this time.

1525. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1525 of Plaintiffs' Complaint at this time.

1526. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1526 of Plaintiffs' Complaint at this time.

1527. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1527 of Plaintiffs' Complaint at this time.

1528. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these

privileges, I respectfully decline to answer the allegations in Paragraph 1528 of Plaintiffs' Complaint at this time.

1529. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1529 of Plaintiffs' Complaint at this time.

1530. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1530 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1531. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1531 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

**Count Two Hundred Eighteen**
**By Patricia Sanetti**
**Loss of Consortium**
**(Negligence)**

1532. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1531 of Plaintiffs' Complaint as if more fully set forth herein.

1533. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1533 of Plaintiffs' Complaint

at this time.

**CLAIMS AGAINST STATE OF RHODE ISLAND AND IRVING J. OWENS, FIRE MARSHAL**

**Count Two Hundred Nineteen**
**By Richard Sanetti**
**(Negligence)**

1534. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1533 of Plaintiffs' Complaint as if more fully set forth herein.

1535. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1535 of Plaintiffs' Complaint at this time.

1536. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1536 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1537. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1537 of Plaintiffs' Complaint at this time.

1538. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1538 of Plaintiffs' Complaint and leaves Plaintiffs to their

proof thereof.

1539. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1539 of Plaintiffs' Complaint at this time.

1540. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1540 of Plaintiffs' Complaint at this time.

1541. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1541 of Plaintiffs' Complaint at this time.

1542. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1542 of Plaintiffs' Complaint

at this time.

1543. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1543 of Plaintiffs' Complaint at this time.

1544. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1544 of Plaintiffs' Complaint at this time.

1545. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1545 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1546. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1546 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

**Count Two Hundred Twenty**
**By Patricia Sanetti**
**Loss of Consortium**
**(Negligence)**

1547. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1546 of Plaintiffs' Complaint as if more fully set forth herein.

1548. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1548 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST AMERICAN FOAM CORPORATION**

**Count Two Hundred Twenty-One**
**By Michelle Spence**
**(Negligence)**

1549. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1548 of Plaintiffs' Complaint as if more fully set forth herein.

1550. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1550 of Plaintiffs' Complaint at this time.

1551. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1551 of Plaintiffs' Complaint at this time.

1552. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1552 of Plaintiffs' Complaint at this time.

1553. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1553 of Plaintiffs' Complaint at this time.

1554. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1554 of Plaintiffs' Complaint at this time.

1555. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1555 of Plaintiffs' Complaint at this time.

**Count Two Hundred Twenty-Two**
**By Michelle Spence as Mother and**

**Next Friend of Hailey Spence**
**Loss of Parental Consortium**
**(Negligence)**

1556. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1555 of Plaintiffs' Complaint as if more fully set forth herein.

1557. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1557 of Plaintiffs' Complaint at this time.

**Count Two Hundred Twenty-Three**
**By Michelle Spence**
**(Strict Products Liability)**

1558. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1557 of Plaintiffs' Complaint as if more fully set forth herein.

1559. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1559 of Plaintiffs' Complaint at this time.

1560. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these

privileges, I respectfully decline to answer the allegations in Paragraph 1560 of Plaintiffs' Complaint at this time.

1561. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1561 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1562. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1562 of Plaintiffs' Complaint at this time.

1563. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1563 of Plaintiffs' Complaint at this time.

1564. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1564 of Plaintiffs' Complaint at this time.

1565. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1565 of Plaintiffs' Complaint at this time.

1566. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1566 of Plaintiffs' Complaint at this time.

1567. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1567 of Plaintiffs' Complaint at this time.

**Count Two Hundred Twenty-Four**
**By Michelle Spence as Mother and**
**Next Friend of Hailey Spence**
**Loss of Parental Consortium**
**(Strict Products Liability)**

1568. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1567 of Plaintiffs' Complaint as if more fully set forth herein.

1569. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1569 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST FOAMEX INTERNATIONAL

### Count Two Hundred Twenty-Five
### By Michelle Spence
### (Negligence)

1570. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1569 of Plaintiffs' Complaint as if more fully set forth herein.

1571. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1571 of Plaintiffs' Complaint at this time.

1572. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1572 of Plaintiffs' Complaint at this time.

1573. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1573 of Plaintiffs' Complaint at this time.

1574. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1574 of Plaintiffs' Complaint at this time.

1575. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1575 of Plaintiffs' Complaint at this time.

1576. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1576 of Plaintiffs' Complaint at this time.

**Count Two Hundred Twenty-Six**
**By Michelle Spence as Mother and**
**Next Friend of Hailey Spence**
**Loss of Parental Consortium**
**(Negligence)**

1577. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1576 of Plaintiffs' Complaint as if more fully set forth herein.

1578. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1578 of Plaintiffs' Complaint at this time.

**Count Two Hundred Twenty-Seven**
**By Michelle Spence**
**(Strict Products Liability)**

1579. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1578 of Plaintiffs' Complaint as if more fully set forth herein.

1580. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1580 of Plaintiffs' Complaint at this time.

1581. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1581 of Plaintiffs' Complaint at this time.

1582. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1582 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1583. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1583 of Plaintiffs' Complaint at this time.

1584. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1584 of Plaintiffs' Complaint at this time.

1585. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1585 of Plaintiffs' Complaint at this time.

1586. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1586 of Plaintiffs' Complaint at this time.

1587. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1587 of Plaintiffs' Complaint at this time.

1588. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1588 of Plaintiffs' Complaint at this time.

**Count Two Hundred Twenty-Eight**
**By Michelle Spence as Mother and**
**Next Friend of Hailey Spence**
**Loss of Parental Consortium**
**(Strict Products Liability)**

1589. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1588 of Plaintiffs' Complaint as if more fully set forth herein.

1590. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these

privileges, I respectfully decline to answer the allegations in Paragraph 1590 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST BARRY H. WARNER**

**Count Two Hundred Eighty-Nine**
**By Michelle Spence**
**(Negligence)**

1591. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1590 of Plaintiffs' Complaint as if more fully set forth herein.

1592. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1592 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1593. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1593 of Plaintiffs' Complaint at this time.

1594. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1594 of Plaintiffs' Complaint at this time.

1595. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1595 of Plaintiffs' Complaint at this time.

1596. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1596 of Plaintiffs' Complaint at this time.

1597. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1597 of Plaintiffs' Complaint at this time.

1598. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1598 of Plaintiffs' Complaint at this time.

1599. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1599 of Plaintiffs' Complaint at this time.

**Count Two Hundred Thirty**
**By Michelle Spence as Mother and**
**Next Friend of Hailey Spence**
**Loss of Parental Consortium**
**(Negligence)**

1600. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1599 of Plaintiffs' Complaint as if more fully set forth herein.

1601. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1601 of Plaintiffs' Complaint at this time.

**Count Two Hundred Thirty-One**
**By Michelle Spence**
**(Strict Products Liability)**

1602. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1601 of Plaintiffs' Complaint as if more fully set forth herein.

1603. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1603 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1604. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1604 of Plaintiffs' Complaint at this time.

1605. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1605 of Plaintiffs' Complaint at this time.

1606. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1606 of Plaintiffs' Complaint at this time.

1607. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1607 of Plaintiffs' Complaint at this time.

1608. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1608 of Plaintiffs' Complaint at this time.

1609. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1609 of Plaintiffs' Complaint at this time.

1610. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1610 of Plaintiffs' Complaint at this time.

**Count Two Hundred Thirty-Two**
**By Michelle Spence as Mother and**
**Next Friend of Hailey Spence**
**Loss of Parental Consortium**
**(Strict Products Liability)**

1611. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1611 of Plaintiffs' Complaint as if more fully set forth herein.

1612. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1612 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST JEFFREY DERDERIAN, MICHAEL DERDERIAN AND DERCO, LLC d/b/a "THE STATION"**

**Count Two Hundred Thirty-Three**
**By Michelle Spence**
**(Negligence)**

1613. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1612 of Plaintiffs' Complaint as if more fully set forth herein.

1614. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1614 of Plaintiffs' Complaint at this time.

1615. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1615 of Plaintiffs' Complaint at this time.

1616. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1616 of Plaintiffs' Complaint at this time.

1617. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1617 of Plaintiffs' Complaint at this time.

1618. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1618 of Plaintiffs' Complaint at this time.

1619. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1619 of Plaintiffs' Complaint at this time.

**Count Two Hundred Thirty-Four**
**By Michelle Spence**
**Loss of Consortium**
**(Negligence)**

1620. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1619 of Plaintiffs' Complaint as if more fully set forth herein.

1621. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1621 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST MANIC MUSIC MANAGEMENT, INC.

### Count Two Hundred Thirty-Five
**By Michelle Spence**
**(Negligence)**

1622. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1621 of Plaintiffs' Complaint as if more fully set forth herein.

1623. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1623 of Plaintiffs' Complaint at this time.

1624. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1624 of Plaintiffs' Complaint

at this time.

1625. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1625 of Plaintiffs' Complaint at this time.

1626. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1626 of Plaintiffs' Complaint at this time.

1627. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1627 of Plaintiffs' Complaint at this time.

1628. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1628 of Plaintiffs' Complaint

at this time.

**Count Two Hundred Thirty-Six**
**By Michelle Spence as Mother and**
**Next Friend of Hailey Spence**
**Loss of Parental Consortium**
**(Negligence)**

1629. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1628 of Plaintiffs' Complaint as if more fully set forth herein.

1630. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1630 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST JACK RUSSELL, MARK KENDALL, DAVID FILICE, ERIC POWERS d/b/a "GREAT WHITE"**

**Count Two Hundred Twenty-Seven**
**By Michelle Spence**
**(Negligence)**

1631. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1630 of Plaintiffs' Complaint as if more fully set forth herein.

1632. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1632 of Plaintiffs' Complaint at this time.

1633. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1633 of Plaintiffs' Complaint at this time.

1634. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1634 of Plaintiffs' Complaint at this time.

1635. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1635 of Plaintiffs' Complaint at this time.

1636. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1636 of Plaintiffs' Complaint at this time.

1637. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1637 of Plaintiffs' Complaint at this time.

**Count Two Hundred Thirty-Eight**
**By Michelle Spence as Mother and**
**Next Friend of Hailey Spence**
**Loss of Parental Consortium**
**(Negligence)**

1638. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1637 of Plaintiffs' Complaint as if more fully set forth herein.

1639. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1639 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST DANIEL BIECHELE**

**Count Two Hundred Thirty-Nine**
**By Michelle Spence**
**(Negligence)**

1640. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1639 of Plaintiffs' Complaint as if more fully set forth herein.

1641. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1641 of Plaintiffs' Complaint at this time.

1642. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1642 of Plaintiffs' Complaint at this time.

1643. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1643 of Plaintiffs' Complaint at this time.

1644. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1644 of Plaintiffs' Complaint at this time.

1645. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1645 of Plaintiffs' Complaint at this time.

1646. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1646 of Plaintiffs' Complaint at this time.

**Count Two Hundred Forty**
**By Michelle Spence as Mother and**
**Next Friend of Hailey Spence**
**Loss of Parental Consortium**
**(Negligence)**

1647. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1646 of Plaintiffs' Complaint as if more fully set forth herein.

1648. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1648 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST PAUL WOOLNOUGH AND**
**KNIGHT RECORDS, INC.**

**Count Two Hundred Forty-One**
**By Michelle Spence**
**(Negligence)**

1649. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1648 of Plaintiffs' Complaint as if more fully set forth herein.

1650. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1650 of Plaintiffs' Complaint at this time.

1651. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1651 of Plaintiffs' Complaint at this time.

1652. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1652 of Plaintiffs' Complaint at this time.

1653. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1653 of Plaintiffs' Complaint at this time.

1654. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1654 of Plaintiffs' Complaint at this time.

1655. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1655 of Plaintiffs' Complaint at this time.

**Count Two Hundred Forty-Two**
**By Michelle Spence as Mother and**
**Next Friend of Hailey Spence**
**Loss of Parental Consortium**
**(Negligence)**

1656. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1655 of Plaintiffs' Complaint as if more fully set forth herein.

1657. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these

privileges, I respectfully decline to answer the allegations in Paragraph 1657 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST ANHEUSER-BUSCH, INC.**

**Count Two Hundred Forty-Three**
**By Michelle Spence**
**(Negligence)**

1658. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1657 of Plaintiffs' Complaint as if more fully set forth herein.

1659. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1659 of Plaintiffs' Complaint at this time.

1660. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1660 of Plaintiffs' Complaint at this time.

1661. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1661 of Plaintiffs' Complaint

at this time.

1662. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1662 of Plaintiffs' Complaint at this time.

1663. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1663 of Plaintiffs' Complaint at this time.

1664. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1664 of Plaintiffs' Complaint at this time.

1665. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1665 of Plaintiffs' Complaint

at this time.

1666. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1666 of Plaintiffs' Complaint at this time.

1667. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1667 of Plaintiffs' Complaint at this time.

**Count Two Hundred Forty-Four**
**By Michelle Spence as Mother and**
**Next Friend of Hailey Spence**
**Loss of Parental Consortium**
**(Negligence)**

1668. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1667 of Plaintiffs' Complaint as if more fully set forth herein.

1669. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1669 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST MCLAUGHLIN & MORAN, INC.**

**Count Two Hundred Forty-Five**
**By Michelle Spence**
**(Negligence)**

1670. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1669 of Plaintiffs' Complaint as if more fully set forth herein.

1671. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1671 of Plaintiffs' Complaint at this time.

1672. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1672 of Plaintiffs' Complaint at this time.

1673. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1673 of Plaintiffs' Complaint at this time.

1674. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1674 of Plaintiffs' Complaint at this time.

1675. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1675 of Plaintiffs' Complaint at this time.

1676. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1676 of Plaintiffs' Complaint at this time.

1677. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1677 of Plaintiffs' Complaint at this time.

1678. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1678 of Plaintiffs' Complaint at this time.

1679. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1679 of Plaintiffs' Complaint at this time.

**Count Two Hundred Forty-Six**
**By Michelle Spence as Mother and**
**Next Friend of Hailey Spence**
**Loss of Parental Consortium**
**(Negligence)**

1680. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1679 of Plaintiffs' Complaint as if more fully set forth herein.

1681. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1681 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST CLEAR CHANNEL COMMUNICTIONS, INC.**
**d/b/a WHJY**

**Count Two Hundred Forty-Seven**

**By Michelle Spence**
**(Negligence)**

1682. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1681 of Plaintiffs' Complaint as if more fully set forth herein.

1683. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1683 of Plaintiffs' Complaint at this time.

1684. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1684 of Plaintiffs' Complaint at this time.

1685. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1685 of Plaintiffs' Complaint at this time.

1686. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1686 of Plaintiffs' Complaint at this time.

1687. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1687 of Plaintiffs' Complaint at this time.

1688. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1688 of Plaintiffs' Complaint at this time.

1689. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1689 of Plaintiffs' Complaint at this time.

1690. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1690 of Plaintiffs' Complaint at this time.

1691. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1691 of Plaintiffs' Complaint at this time.

**Count Two Hundred Forty-Eight**
**By Michelle Spence as Mother and**
**Next Friend of Hailey Spence**
**Loss of Parental Consortium**
**(Negligence)**

1692. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1691 of Plaintiffs' Complaint as if more fully set forth herein.

1693. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1693 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST LUNA TECH, INC. AND**
**LUNA TECH PYROTECHNIC, GMBH**

**Count Two Hundred Forty-Nine**
**By Michelle Spence**
**(Negligence)**

1695. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1693 of Plaintiffs' Complaint as if more fully set forth herein.

1696. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1696 of Plaintiffs' Complaint at this time.

1697. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1697 of Plaintiffs' Complaint at this time.

1698. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1698 of Plaintiffs' Complaint at this time.

1699. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1699 of Plaintiffs' Complaint at this time.

1700. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1700 of Plaintiffs' Complaint at this time.

1701. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1701 of Plaintiffs' Complaint at this time.

**Count Two Hundred Fifty**
**By Michelle Spence as Mother and**
**Next Friend of Hailey Spence**
**Loss of Parental Consortium**
**(Negligence)**

1702. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1701 of Plaintiffs' Complaint as if more fully set forth herein.

1703. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these

privileges, I respectfully decline to answer the allegations in Paragraph 1703 of Plaintiffs' Complaint at this time.

**Count Two Hundred Fifty-One**
**By Michelle Spence**
**(Strict Liability)**

1704. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1703 of Plaintiffs' Complaint as if more fully set forth herein.

1705. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1705 of Plaintiffs' Complaint at this time.

1706. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1706 of Plaintiffs' Complaint at this time.

1707. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1707 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1708. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1708 of Plaintiffs' Complaint at this time.

1709. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1709 of Plaintiffs' Complaint at this time.

1710. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1710 of Plaintiffs' Complaint at this time.

1711. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1711 of Plaintiffs' Complaint at this time.

1712. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1712 of Plaintiffs' Complaint at this time.

1713. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1713 of Plaintiffs' Complaint at this time.

**Count Two Hundred Fifty-Two**
**By Michelle Spence as Mother and**
**Next Friend of Hailey Spence**
**Loss of Parental Consortium**
**(Strict Liability)**

1714. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1713 of Plaintiffs' Complaint as if more fully set forth herein.

1715. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1715 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST JOINT VENTURE LIABILITY AS TO JEFFREY DERDERIAN, MICHAEL DERDERIAN, AND DERCO LLC D/B/A THE STATION, MANIC MUSIC MANAGEMENT, INC., JACK RUSSELL, MARK KENDALL, DAVID FILICE, ERIC POWERS, DANIEL BIECHELE, PAUL WOOLNOUGH, KNIGHT RECORDS, INC., ANHEUSER-BUSCH INC., MCLAUGHLIN & MORAN, INC., CLEAR CHANNEL COMMUNICATIONS, INC., D/B/A WHJY-FM, MOTIVA ENTERPRISES, LLC AND SHELL OIL CORPORATION, TOWN OF WEST WARWICK AND STATE OF RHODE ISLAND**

**Count Two Hundred Thirteen**
**By Michelle Spence**
**(Negligence)**

1716. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1715 of Plaintiffs' Complaint as if more fully set forth herein.

1717. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1717 of Plaintiffs' Complaint at this time.

1718. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1718 of Plaintiffs' Complaint at this time.

1729. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1729 of Plaintiffs' Complaint at this time.

1730. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1730 of Plaintiffs' Complaint at this time.

1731. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1731 of Plaintiffs' Complaint at this time.

1732. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1732 of Plaintiffs' Complaint at this time.

1733. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1733 of Plaintiffs' Complaint at this time.

1734. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1734 of Plaintiffs' Complaint at this time.

1735. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1735 of Plaintiffs' Complaint at this time.

**Count Two Hundred Fifty-Four**
**By Michelle Spence as Mother and**
**Next Friend of Hailey Spence**
**Loss of Parental Consortium**
**(Negligence)**

1736. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1735 of Plaintiffs' Complaint as if more fully set forth herein.

1737. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1737 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST SHELL OIL CORPORATION AND MOTIVA ENTERPRISES, LLC**

**Count Two Hundred Fifty-Five**
**By Michelle Spence**
**(Negligence)**

1738. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1737 of Plaintiffs' Complaint as if more fully set forth herein.

1739. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1739 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1740. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1740 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1741. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1741 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1742. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1742 of Plaintiffs' Complaint at this time.

1743. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1743 of Plaintiffs' Complaint at this time.

1744. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1744 of Plaintiffs' Complaint at this time.

1745. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1745 of Plaintiffs' Complaint at this time.

1746. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1746 of Plaintiffs' Complaint at this time.

1747. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1747 of Plaintiffs' Complaint at this time.

1748. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1748 of Plaintiffs' Complaint at this time.

1749. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1749 of Plaintiffs' Complaint at this time.

1750. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1750 of Plaintiffs' Complaint at this time.

1751. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1751 of Plaintiffs' Complaint at this time.

1752. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1752 of Plaintiffs' Complaint at this time.

1753. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1753 of Plaintiffs' Complaint at this time.

**Count Two Hundred Fifty-Six**
**By Michelle Spence as Mother and**
**Next Friend of Hailey Spence**
**Loss of Parental Consortium**
**(Negligence)**

1754. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1753 of Plaintiffs' Complaint as if more fully set forth herein.

1755. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1755 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST TOWN OF WEST WARWICK AND**
**FIRE INSPECTOR, DENIS LAROCQUE**

**Count Two Hundred Fifty-Seven**

**By Michelle Spence**
**(Negligence)**

1756. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1756 of Plaintiffs' Complaint as if more fully set forth herein.

1757. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1757 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1758. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1758 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1759. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1759 of Plaintiffs' Complaint at this time.

1760. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1760 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1761. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1761 of Plaintiffs' Complaint

at this time.

1762. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1762 of Plaintiffs' Complaint at this time.

1763. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1763 of Plaintiffs' Complaint at this time.

1764. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1764 of Plaintiffs' Complaint at this time.

1765. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1765 of Plaintiffs' Complaint

at this time.

1766. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1766 of Plaintiffs' Complaint at this time.

1767. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1767 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1768. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1768 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

**Count Two Hundred Fifty-Eight**
**By Michelle Spence as Mother and**
**Next Friend of Hailey Spence**
**Loss of Parental Consortium**
**(Negligence)**

1769. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1768 of Plaintiffs' Complaint as if more fully set forth herein.

1770. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1770 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST STATE OF RHODE ISLAND AND IRVING J. OWENS, FIRE MARSHAL**

**Count Two Hundred Fifty-Nine**
**By Michelle Spence**
**(Negligence)**

1771. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1770 of Plaintiffs' Complaint as if more fully set forth herein.

1772. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1772 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1773. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1773 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1774. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1774 of Plaintiffs' Complaint at this time.

1775. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1775 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1776. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1776 of Plaintiffs' Complaint at this time.

1777. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1777 of Plaintiffs' Complaint at this time.

1778. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1778 of Plaintiffs' Complaint at this time.

1779. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1779 of Plaintiffs' Complaint at this time.

1780. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1780 of Plaintiffs' Complaint at this time.

1781. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1781 of Plaintiffs' Complaint at this time.

1782. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1782 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1783. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1783 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

**Count Two Hundred Sixty**
**By Michelle Spence as Mother and**
**Next Friend of Hailey Spence**
**Loss of Parental Consortium**
**(Negligence)**

1784. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1783 of Plaintiffs' Complaint as if more fully set forth herein.

1785. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these

privileges, I respectfully decline to answer the allegations in Paragraph 1785 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST AMERICAN FOAM CORPORATION

### Count Two Hundred Sixty-One
### By Catherine Carignan
### (Negligence)

1786. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1785 of Plaintiffs' Complaint as if more fully set forth herein.

1787. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1787 of Plaintiffs' Complaint at this time.

1788. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1788 of Plaintiffs' Complaint at this time.

1789. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1789 of Plaintiffs' Complaint

at this time.

1790. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1790 of Plaintiffs' Complaint at this time.

1791. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1791 of Plaintiffs' Complaint at this time.

1792. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1792 of Plaintiffs' Complaint at this time.

**Count Two Hundred Sixty-Two**
**By Catherine Carignan**
**(Strict Products Liability)**

1793. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1792 of Plaintiffs' Complaint as if more fully set forth herein.

1794. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1794 of Plaintiffs' Complaint at this time.

1795. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1795 of Plaintiffs' Complaint at this time.

1796. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1796 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1797. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1797 of Plaintiffs' Complaint at this time.

1798. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these

privileges, I respectfully decline to answer the allegations in Paragraph 1798 of Plaintiffs' Complaint at this time.

1799. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1799 of Plaintiffs' Complaint at this time.

1800. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1800 of Plaintiffs' Complaint at this time.

1801. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1801 of Plaintiffs' Complaint at this time.

1802. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these

privileges, I respectfully decline to answer the allegations in Paragraph 1802 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST FOAMEX INTERNATIONAL**

**Count Two Hundred Sixty-Three**
**By Catherine Carignan**
**(Negligence)**

1803. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1802 of Plaintiffs' Complaint as if more fully set forth herein.

1804. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1804 of Plaintiffs' Complaint at this time.

1805. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1805 of Plaintiffs' Complaint at this time.

1806. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1806 of Plaintiffs' Complaint

at this time.

1807. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1807 of Plaintiffs' Complaint at this time.

1808. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1808 of Plaintiffs' Complaint at this time.

1809. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1809 of Plaintiffs' Complaint at this time.

**Count Two Hundred Sixty-Four**
**By Catherine Carignan**
**(Strict Products Liability)**

1810. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1809 of Plaintiffs' Complaint as if more fully set forth herein.

1811. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1811 of Plaintiffs' Complaint at this time.

1812. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1812 of Plaintiffs' Complaint at this time.

1813. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1813 of Plaintiffs' Complaint at this time.

1814. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1814 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1815. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these

privileges, I respectfully decline to answer the allegations in Paragraph 1815 of Plaintiffs' Complaint at this time.

1816. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1816 of Plaintiffs' Complaint at this time.

1817. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1817 of Plaintiffs' Complaint at this time.

1818. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1818 of Plaintiffs' Complaint at this time.

1819. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these

privileges, I respectfully decline to answer the allegations in Paragraph 1819 of Plaintiffs' Complaint at this time.

1820. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1820 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST BARRY H. WARNER**

**Count Two Hundred Sixty-Five**
**By Catherine Carignan**
**(Negligence)**

1821. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1820 of Plaintiffs' Complaint as if more fully set forth herein.

1822. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1822 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1823. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1823 of Plaintiffs' Complaint at this time.

1824. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1824 of Plaintiffs' Complaint at this time.

1825. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1825 of Plaintiffs' Complaint at this time.

1826. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1826 of Plaintiffs' Complaint at this time.

1827. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1827 of Plaintiffs' Complaint at this time.

1829. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1829 of Plaintiffs' Complaint at this time.

1830. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1830 of Plaintiffs' Complaint at this time.

**Count Two Hundred Sixty-Six**
**By Catherine Carignan**
**(Strict Products Liability)**

1831. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1830 of Plaintiffs' Complaint as if more fully set forth herein.

1832. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1832 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1833. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1833 of Plaintiffs' Complaint at this time.

1834. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1834 of Plaintiffs' Complaint at this time.

1835. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1835 of Plaintiffs' Complaint at this time.

1836. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1836 of Plaintiffs' Complaint at this time.

1837. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1837 of Plaintiffs' Complaint at this time.

1838. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1838 of Plaintiffs' Complaint at this time.

1839. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1839 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST JEFFREY DERDERIAN, MICHAEL DERDERIAN AND DERCO, LLC d/b/a "THE STATION"**

**Count Two Hundred Sixty-Seven**
**By Catherine Carignan**
**(Negligence)**

1840. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1839 of Plaintiffs' Complaint as if more fully set forth herein.

1841. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1841 of Plaintiffs' Complaint at this time.

1842. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1842 of Plaintiffs' Complaint at this time.

1843. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1843 of Plaintiffs' Complaint at this time.

1844. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1844 of Plaintiffs' Complaint at this time.

1845. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1845 of Plaintiffs' Complaint at this time.

1846. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1846 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST MANIC MUSIC MANAGEMENT, INC.**

**Count Two Hundred Sixty-Eight**
**By Catherine Carignan**
**(Negligence)**

1847. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1846 of Plaintiffs' Complaint as if more fully set forth herein.

1848. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1848 of Plaintiffs' Complaint at this time.

1849. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1849 of Plaintiffs' Complaint at this time.

1850. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1850 of Plaintiffs' Complaint at this time.

1851. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1851 of Plaintiffs' Complaint at this time.

1852. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1852 of Plaintiffs' Complaint at this time.

1853. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1853 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST JACK RUSSELL, MARK KENDALL, DAVID FILICE, ERIC POWERS d/b/a "GREAT WHITE"

### Count Two Hundred Sixty-Nine

**By Catherine Carignan**
**(Negligence)**

1854. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1853 of Plaintiffs' Complaint as if more fully set forth herein.

1855. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1855 of Plaintiffs' Complaint at this time.

1856. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1856 of Plaintiffs' Complaint at this time.

1857. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1857 of Plaintiffs' Complaint at this time.

1858. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1858 of Plaintiffs' Complaint at this time.

1859. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1859 of Plaintiffs' Complaint at this time.

1860. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1860 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST DANIEL BIECHELE

### Count Two Hundred Seventy
### By Catherine Carignan
### (Negligence)

1861. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1860 of Plaintiffs' Complaint as if more fully set forth herein.

1862. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1862 of Plaintiffs' Complaint at this time.

1863. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1863 of Plaintiffs' Complaint at this time.

1864. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1864 of Plaintiffs' Complaint at this time.

1865. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1865 of Plaintiffs' Complaint at this time.

1866. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1866 of Plaintiffs' Complaint at this time.

1867. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1867 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST PAUL WOOLNOUGH AND KNIGHT RECORDS, INC.**

**Count Two Hundred Seventy-One**
**By Catherine Carignan**
**(Negligence)**

1868. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1867 of Plaintiffs' Complaint as if more fully set forth herein.

1869. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1869 of Plaintiffs' Complaint at this time.

1870. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1870 of Plaintiffs' Complaint at this time.

1871. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1871 of Plaintiffs' Complaint at this time.

1872. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1872 of Plaintiffs' Complaint at this time.

1873. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1873 of Plaintiffs' Complaint at this time.

1874. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1874 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST ANHEUSER-BUSCH, INC.

### Count Two Hundred Seventy-Two
### By Catherine Carignan
### (Negligence)

1875. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1874 of Plaintiffs' Complaint as if more fully set forth herein.

1876. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1876 of Plaintiffs' Complaint at this time.

1877. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1877 of Plaintiffs' Complaint at this time.

1878. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these

privileges, I respectfully decline to answer the allegations in Paragraph 1878 of Plaintiffs' Complaint at this time.

1879. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1879 of Plaintiffs' Complaint at this time.

1880. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1880 of Plaintiffs' Complaint at this time.

1881. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1881 of Plaintiffs' Complaint at this time.

1882. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these

privileges, I respectfully decline to answer the allegations in Paragraph 1882 of Plaintiffs' Complaint at this time.

1883. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1883 of Plaintiffs' Complaint at this time.

1884. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1884 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST MCLAUGHLIN & MORAN, INC.

### Count Two Hundred Seventy-Three
**By Catherine Carignan**
**(Negligence)**

1885. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1884 of Plaintiffs' Complaint as if more fully set forth herein.

1886. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1886 of Plaintiffs' Complaint

at this time.

1887. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1887 of Plaintiffs' Complaint at this time.

1888. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1888 of Plaintiffs' Complaint at this time.

1889. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1889 of Plaintiffs' Complaint at this time.

1890. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1890 of Plaintiffs' Complaint

at this time.

1891. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1891 of Plaintiffs' Complaint at this time.

1892. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1892 of Plaintiffs' Complaint at this time.

1893. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1893 of Plaintiffs' Complaint at this time.

1894. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1894 of Plaintiffs' Complaint

at this time.

**CLAIMS AGAINST CLEAR CHANNEL COMMUNICTIONS, INC. d/b/a WHJY**

**Count Two Hundred Seventy-Four**
**By Catherine Carignan**
**(Negligence)**

1895. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1894 of Plaintiffs' Complaint as if more fully set forth herein.

1896. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1896 of Plaintiffs' Complaint at this time.

1897. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1897 of Plaintiffs' Complaint at this time.

1898. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1898 of Plaintiffs' Complaint

at this time.

1899. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1899 of Plaintiffs' Complaint at this time.

1900. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1900 of Plaintiffs' Complaint at this time.

1901. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1901 of Plaintiffs' Complaint at this time.

1902. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1902 of Plaintiffs' Complaint

at this time.

1903. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1903 of Plaintiffs' Complaint at this time.

1904. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1904 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST LUNA TECH, INC. AND LUNA TECH PYROTECHNIC, GMBH

### Count Two Hundred Seventy-Five
### By Catherine Carignan
### (Negligence)

1905. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1904 of Plaintiffs' Complaint as if more fully set forth herein.

1906. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1906 of Plaintiffs' Complaint

at this time.

1907. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1907 of Plaintiffs' Complaint at this time.

1908. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1908 of Plaintiffs' Complaint at this time.

1909. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1909 of Plaintiffs' Complaint at this time.

1910. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1910 of Plaintiffs' Complaint

at this time.

1911. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1911 of Plaintiffs' Complaint at this time.

**Count Two Hundred Seventy-Six**
**By Catherine Carignan**
**(Strict Products Liability)**

1912. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1911 of Plaintiffs' Complaint as if more fully set forth herein.

1913. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1913 of Plaintiffs' Complaint at this time.

1914. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1914 of Plaintiffs' Complaint at this time.

1915. Defendant Daniel Biechele is without knowledge or information of the truth or falsity

of the allegations set forth in Paragraph 1915 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1916. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1916 of Plaintiffs' Complaint at this time.

1917. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1917 of Plaintiffs' Complaint at this time.

1918. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1918 of Plaintiffs' Complaint at this time.

1919. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these

privileges, I respectfully decline to answer the allegations in Paragraph 1919 of Plaintiffs' Complaint at this time.

1920. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1920 of Plaintiffs' Complaint at this time.

1921. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1921 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST JOINT VENTURE LIABILITY AS TO JEFFREY DERDERIAN, MICHAEL DERDERIAN, AND DERCO LLC D/B/A THE STATION, MANIC MUSIC MANAGEMENT, INC., JACK RUSSELL, MARK KENDALL, DAVID FILICE, ERIC POWERS, DANIEL BIECHELE, PAUL WOOLNOUGH, KNIGHT RECORDS, INC., ANHEUSER-BUSCH INC., MCLAUGHLIN & MORAN, INC., CLEAR CHANNEL COMMUNICATIONS, INC., D/B/A WHJY-FM, MOTIVA ENTERPRISES, LLC AND SHELL OIL CORPORATION, TOWN OF WEST WARWICK AND STATE OF RHODE ISLAND**

**Count Two Hundred Seventy-Seven**
**By Catherine Carignan**
**(Negligence)**

1922. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1921 of Plaintiffs' Complaint as if more fully set forth herein.

1923. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1923 of Plaintiffs' Complaint at this time.

1924. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1924 of Plaintiffs' Complaint at this time.

1925. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1925 of Plaintiffs' Complaint at this time.

1926. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1926 of Plaintiffs' Complaint at this time.

1927. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1927 of Plaintiffs' Complaint at this time.

1928. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1928 of Plaintiffs' Complaint at this time.

1929. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1929 of Plaintiffs' Complaint at this time.

1930. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1930 of Plaintiffs' Complaint at this time.

1931. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1931 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST SHELL OIL CORPORATION AND MOTIVA ENTERPRISES, LLC**

**Count Two Hundred Seventy-Eight**
**By Catherine Carignan**
**(Negligence)**

1932. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 1931 of Plaintiffs' Complaint as if more fully set forth herein.

1933. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1933 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1934. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1934 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1935. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 1935 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

1936. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 1936 of Plaintiffs' Complaint

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2334 of Plaintiffs' Complaint at this time.

2335. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2335 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST FOAMEX INTERNATIONAL

### Count Three Hundred Forty-Three
### By Daniel Davidson
### (Negligence)

2336. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2335 of Plaintiffs' Complaint as if more fully set forth herein.

2337. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2337 of Plaintiffs' Complaint at this time.

2338. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2338 of Plaintiffs' Complaint at this time.

2339. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2339 of Plaintiffs' Complaint at this time.

2340. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2340 of Plaintiffs' Complaint at this time.

2341. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2341 of Plaintiffs' Complaint at this time.

**Count Three Hundred Forty-Four**
**By Daniel Davidson**
**(Strict Products Liability)**

2342. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2341 of Plaintiffs' Complaint as if more fully set forth herein.

2343. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2343 of Plaintiffs' Complaint at this time.

2344. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2344 of Plaintiffs' Complaint at this time.

2345. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2345 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

2346. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2346 of Plaintiffs' Complaint at this time.

2347. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2347 of Plaintiffs' Complaint at this time.

2348. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2348 of Plaintiffs' Complaint at this time.

2349. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2349 of Plaintiffs' Complaint at this time.

2350. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2350 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST BARRY H. WARNER**

**Count Three Hundred Forty-Five**
**By Daniel Davidson**
**(Negligence)**

2351. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2350 of Plaintiffs' Complaint as if more fully set forth herein.

2352. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2352 of Plaintiffs' Complaint at this time.

2353. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2353 of Plaintiffs' Complaint at this time.

2354. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2354 of Plaintiffs' Complaint at this time.

2355. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2355 of Plaintiffs' Complaint at this time.

2356. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2356 of Plaintiffs' Complaint at this time.

**Count Three Hundred Forty-Six**
**By Daniel Davidson**
**(Strict Products Liability)**

2357. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2356 of Plaintiffs' Complaint as if more fully set forth herein.

2358. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2358 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

2359. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2359 of Plaintiffs' Complaint at this time.

2360. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2360 of Plaintiffs' Complaint at this time.

2361. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2361 of Plaintiffs' Complaint at this time.

2362. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2362 of Plaintiffs' Complaint at this time.

2363. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2363 of Plaintiffs' Complaint at this time.

2364. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2364 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST JEFFREY DERDERIAN, MICHAEL DERDERIAN AND DERCO, LLC d/b/a "THE STATION"**

**Count Three Hundred Forty-Seven**
**By Daniel Davidson**
**(Negligence)**

2365. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2364 of Plaintiffs' Complaint as if more fully set forth herein.

2366. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2366 of Plaintiffs' Complaint at this time.

2367. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2367 of Plaintiffs' Complaint at this time.

2368. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2368 of Plaintiffs' Complaint at this time.

2369. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2369 of Plaintiffs' Complaint at this time.

2370. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2370 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST MANIC MUSIC MANAGEMENT, INC.

### Count Three Hundred Forty-Eight
**By Daniel Davidson**
**(Negligence)**

2371. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2370 of Plaintiffs' Complaint as if more fully set forth herein.

2372. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2372 of Plaintiffs' Complaint at this time.

2373. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2373 of Plaintiffs' Complaint at this time.

2374. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2374 of Plaintiffs' Complaint at this time.

2375. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2375 of Plaintiffs' Complaint at this time.

2376. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2376 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST JACK RUSSELL, MARK KENDALL, DAVID FILICE, ERIC POWERS d/b/a "GREAT WHITE"**

**Count Two Hundred Sixty-Nine**
**By Catherine Carignan**
**(Negligence)**

2377. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2376 of Plaintiffs' Complaint as if more fully set forth herein.

2378. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2378 of Plaintiffs' Complaint at this time.

2379. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2379 of Plaintiffs' Complaint at this time.

2380. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2380 of Plaintiffs' Complaint at this time.

2381. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2381 of Plaintiffs' Complaint at this time.

2382. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2382 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST DANIEL BIECHELE**

**Count Three Hundred Fifty**
**By Daniel Davidson**
**(Negligence)**

2383. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2382 of Plaintiffs' Complaint as if more fully set forth herein.

2384. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2384 of Plaintiffs' Complaint at this time.

2385. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2385 of Plaintiffs' Complaint at this time.

2386. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2386 of Plaintiffs' Complaint at this time.

2387. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2387 of Plaintiffs' Complaint at this time.

2388. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2388 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST PAUL WOOLNOUGH AND KNIGHT RECORDS, INC.**

**Count Two Hundred Seventy-One**
**By Catherine Carignan**
**(Negligence)**

2389. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2388 of Plaintiffs' Complaint as if more fully set forth herein.

2390. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2390 of Plaintiffs' Complaint at this time.

2391. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2391 of Plaintiffs' Complaint at this time.

2392. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2392 of Plaintiffs' Complaint at this time.

2393. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2393 of Plaintiffs' Complaint at this time.

2394. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2394 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST ANHEUSER-BUSCH, INC.

### Count Two Hundred Seventy-Two
### By Michelle Spence
### (Negligence)

2395. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2394 of Plaintiffs' Complaint as if more fully set forth herein.

2396. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these

privileges, I respectfully decline to answer the allegations in Paragraph 2396 of Plaintiffs' Complaint at this time.

2397. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2397 of Plaintiffs' Complaint at this time.

2398. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2398 of Plaintiffs' Complaint at this time.

2399. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2399 of Plaintiffs' Complaint at this time.

2400. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these

privileges, I respectfully decline to answer the allegations in Paragraph 2400 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST MCLAUGHLIN & MORAN, INC.**

**Count Three Hundred Fifty-Three**
**By Daniel Davidson**
**(Negligence)**

2401. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2400 of Plaintiffs' Complaint as if more fully set forth herein.

2402. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2402 of Plaintiffs' Complaint at this time.

2403. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2403 of Plaintiffs' Complaint at this time.

2404. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2404 of Plaintiffs' Complaint

at this time.

2405. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2405 of Plaintiffs' Complaint at this time.

2406. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2406 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST CLEAR CHANNEL COMMUNICTIONS, INC.**
**d/b/a WHJY**

**Count Two Hundred Seventy-Four**
**By Catherine Carignan**
**(Negligence)**

2407. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2406 of Plaintiffs' Complaint as if more fully set forth herein.

2408. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2408 of Plaintiffs' Complaint

at this time.

2409. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2409 of Plaintiffs' Complaint at this time.

2410. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2410 of Plaintiffs' Complaint at this time.

2411. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2411 of Plaintiffs' Complaint at this time.

2412. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2412 of Plaintiffs' Complaint

at this time.

**CLAIMS AGAINST LUNA TECH, INC. AND LUNA TECH PYROTECHNIC, GMBH**

**Count Three Hundred Fifty-Five**
**By Daniel Davidson**
**(Negligence)**

2413. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2412 of Plaintiffs' Complaint as if more fully set forth herein.

2414. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2414 of Plaintiffs' Complaint at this time.

2415. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2415 of Plaintiffs' Complaint at this time.

2416. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2416 of Plaintiffs' Complaint

at this time.

2417. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2417 of Plaintiffs' Complaint at this time.

2418. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2418 of Plaintiffs' Complaint at this time.

**Count Three Hundred Fifty-Six**
**By Daniel Davidson**
**(Strict Products Liability)**

2419. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2418 of Plaintiffs' Complaint as if more fully set forth herein.

2420. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2420 of Plaintiffs' Complaint at this time.

2421. Based on the criminal prosecution I currently face in the matter of State of Rhode

Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2421 of Plaintiffs' Complaint at this time.

2422. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2422 of Plaintiffs' Complaint at this time.

2423. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2423 of Plaintiffs' Complaint at this time.

2424. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2424 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST JOINT VENTURE LIABILITY AS TO JEFFREY DERDERIAN, MICHAEL DERDERIAN, AND DERCO LLC D/B/A THE STATION, MANIC MUSIC MANAGEMENT,**

**INC., JACK RUSSELL, MARK KENDALL, DAVID FILICE, ERIC POWERS, DANIEL BIECHELE, PAUL WOOLNOUGH, KNIGHT RECORDS, INC., ANHEUSER-BUSCH INC., MCLAUGHLIN & MORAN, INC., CLEAR CHANNEL COMMUNICATIONS, INC., D/B/A WHJY-FM, MOTIVA ENTERPRISES, LLC AND SHELL OIL CORPORATION, TOWN OF WEST WARWICK AND STATE OF RHODE ISLAND**

**Count Three Hundred Fifty-Seven**
**By Daniel Davidson**
**(Negligence)**

2425. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2424 of Plaintiffs' Complaint as if more fully set forth herein.

2426. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2426 of Plaintiffs' Complaint at this time.

2427. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2427 of Plaintiffs' Complaint at this time.

2428. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2428 of Plaintiffs' Complaint

at this time.

2429. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2429 of Plaintiffs' Complaint at this time.

2430. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2430 of Plaintiffs' Complaint at this time.

2431. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2431 of Plaintiffs' Complaint at this time.

2432. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2432 of Plaintiffs' Complaint

at this time.

2433. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2433 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST SHELL OIL CORPORATION AND MOTIVA ENTERPRISES, LLC**

**Count Three Hundred Fifty-Eight**
**By Daniel Davidson**
**(Negligence)**

2434. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2433 of Plaintiffs' Complaint as if more fully set forth herein.

2435. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2435 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

2436. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2436 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

2437. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2437 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

2438. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2438 of Plaintiffs' Complaint at this time.

2439. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2439 of Plaintiffs' Complaint at this time.

2440. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2440 of Plaintiffs' Complaint at this time.

2441. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2441 of Plaintiffs' Complaint at this time.

2442. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2442 of Plaintiffs' Complaint at this time.

2443. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2443 of Plaintiffs' Complaint at this time.

2444. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2444 of Plaintiffs' Complaint at this time.

2445. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2445 of Plaintiffs' Complaint at this time.

2446. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2446 of Plaintiffs' Complaint at this time.

2447. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2447 of Plaintiffs' Complaint at this time.

2448. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2448 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST TOWN OF WEST WARWICK AND FIRE INSPECTOR, DENIS LAROCQUE

### Count Three Hundred Fifty-Nine
**By Daniel Davidson**
**(Negligence)**

2449. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2448 of Plaintiffs' Complaint as if more fully set forth herein.

2450. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2450 of Plaintiffs' Complaint and leaves Plaintiffs to their

proof thereof.

2451. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2451 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

2452. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2452 of Plaintiffs' Complaint at this time.

2453. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2453 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

2454. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2454 of Plaintiffs' Complaint at this time.

2455. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2455 of Plaintiffs' Complaint

at this time.

2456. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2456 of Plaintiffs' Complaint at this time.

2457. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2457 of Plaintiffs' Complaint at this time.

2458. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2458 of Plaintiffs' Complaint at this time.

2459. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2459 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

2460. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2460 of Plaintiffs' Complaint and leaves Plaintiffs to their

proof thereof.

**CLAIMS AGAINST STATE OF RHODE ISLAND AND IRVING J. OWENS, FIRE MARSHAL**

**Count Three Hundred Sixty**
**By Daniel Davidson**
**(Negligence)**

2461. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2460 of Plaintiffs' Complaint as if more fully set forth herein.

2462. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2462 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

2463. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2463 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

2464. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2464 of Plaintiffs' Complaint at this time.

2465. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2465 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

2466. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2466 of Plaintiffs' Complaint at this time.

2467. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2467 of Plaintiffs' Complaint at this time.

2468. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2468 of Plaintiffs' Complaint at this time.

2469. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2469 of Plaintiffs' Complaint at this time.

2470. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2470 of Plaintiffs' Complaint at this time.

2471. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2471 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

2472. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2472 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

## CLAIMS AGAINST AMERICAN FOAM CORPORATION

### Count Three Hundred Sixty-One
**By Stephen Bruno**
**(Negligence)**

2473. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2472 of Plaintiffs' Complaint as if more fully set forth herein.

2474. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2474 of Plaintiffs' Complaint at this time.

2475. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2475 of Plaintiffs' Complaint at this time.

2476. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2476 of Plaintiffs' Complaint at this time.

2477. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2477 of Plaintiffs' Complaint at this time.

**Count Three Hundred Sixty-Two**
**By Stephen Bruno**
**(Strict Products Liability)**

2478. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2477 of Plaintiffs' Complaint as if more fully set forth herein.

2479. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2479 of Plaintiffs' Complaint

at this time.

2480. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2480 of Plaintiffs' Complaint at this time.

2481. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2481 of Plaintiffs' Complaint at this time.

2482. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2482 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST FOAMEX INTERNATIONAL

### Count Three Hundred Forty-Three
### By Daniel Davidson
### (Negligence)

2483. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2482 of Plaintiffs' Complaint as if more fully set forth herein.

2484. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2484 of Plaintiffs' Complaint at this time.

2485. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2485 of Plaintiffs' Complaint at this time.

2486. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2486 of Plaintiffs' Complaint at this time.

2487. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2487 of Plaintiffs' Complaint at this time.

2488. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2488 of Plaintiffs' Complaint at this time.

**Count Three Hundred Sixty-Four**
**By Stephen Bruno**
**(Strict Products Liability)**

2489. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2488 of Plaintiffs' Complaint as if more fully set forth herein.

2490. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2490 of Plaintiffs' Complaint at this time.

2491. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2491 of Plaintiffs' Complaint at this time.

2492. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2492 of Plaintiffs' Complaint and leaves Plaintiffs to their

proof thereof.

2493. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2493 of Plaintiffs' Complaint at this time.

2494. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2494 of Plaintiffs' Complaint at this time.

2495. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2495 of Plaintiffs' Complaint at this time.

2496. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2496 of Plaintiffs' Complaint

at this time.

2497. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2497 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST BARRY H. WARNER**

**Count Three Hundred Sixty-Five**
**By Stephen Bruno**
**(Negligence)**

2497. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2496 of Plaintiffs' Complaint as if more fully set forth herein.

2498. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2498 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

2499. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2499 of Plaintiffs' Complaint at this time.

2500. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2500 of Plaintiffs' Complaint at this time.

2501. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2501 of Plaintiffs' Complaint at this time.

2502. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2502 of Plaintiffs' Complaint at this time.

2503. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2503 of Plaintiffs' Complaint at this time.

**Count Three Hundred Sixty-Six**
**By Stephen Bruno**
**(Strict Products Liability)**

2504. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1

through 2503 of Plaintiffs' Complaint as if more fully set forth herein.

2505. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2505 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

2506. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2506 of Plaintiffs' Complaint at this time.

2507. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2507 of Plaintiffs' Complaint at this time.

2508. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2508 of Plaintiffs' Complaint at this time.

2509. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2509 of Plaintiffs' Complaint at this time.

2510. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2510 of Plaintiffs' Complaint at this time.

2511. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2511 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST JEFFREY DERDERIAN, MICHAEL DERDERIAN AND DERCO, LLC d/b/a "THE STATION"

### Count Three Hundred Sixty-Seven
**By Stephen Bruno**
**(Negligence)**

2512. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2511 of Plaintiffs' Complaint as if more fully set forth herein.

2513. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2513 of Plaintiffs' Complaint at this time.

2514. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2514 of Plaintiffs' Complaint at this time.

2515. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2515 of Plaintiffs' Complaint at this time.

2516. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2516 of Plaintiffs' Complaint at this time.

2517. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2517 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST MANIC MUSIC MANAGEMENT, INC.**

**Count Three Hundred Sixty-Eight**
**By Stephen Bruno**
**(Negligence)**

2518. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2517 of Plaintiffs' Complaint as if more fully set forth herein.

2519. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2519 of Plaintiffs' Complaint at this time.

2520. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2520 of Plaintiffs' Complaint at this time.

2521. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2521 of Plaintiffs' Complaint at this time.

2522. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2522 of Plaintiffs' Complaint at this time.

2523. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2523 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST JACK RUSSELL, MARK KENDALL, DAVID FILICE, ERIC POWERS d/b/a "GREAT WHITE"**

**Count Three Hundred Sixty-Nine**
**By Stephen Bruno**
**(Negligence)**

2524. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2523 of Plaintiffs' Complaint as if more fully set forth herein.

2525. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2525 of Plaintiffs' Complaint at this time.

2526. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2526 of Plaintiffs' Complaint at this time.

2527. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2527 of Plaintiffs' Complaint at this time.

2528. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2528 of Plaintiffs' Complaint at this time.

2529. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2529 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST DANIEL BIECHELE

### Count Three Hundred Seventy
### By Stephen Bruno
### (Negligence)

2530. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2529 of Plaintiffs' Complaint as if more fully set forth herein.

2531. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2531 of Plaintiffs' Complaint at this time.

2532. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2532 of Plaintiffs' Complaint at this time.

2533. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these

privileges, I respectfully decline to answer the allegations in Paragraph 2533 of Plaintiffs' Complaint at this time.

2534. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2534 of Plaintiffs' Complaint at this time.

2535. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2535 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST PAUL WOOLNOUGH AND KNIGHT RECORDS, INC.

### Count Three Hundred Seventy-One
**By Stephen Bruno**
**(Negligence)**

2536. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2535 of Plaintiffs' Complaint as if more fully set forth herein.

2537. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these

privileges, I respectfully decline to answer the allegations in Paragraph 2537 of Plaintiffs' Complaint at this time.

2538. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2538 of Plaintiffs' Complaint at this time.

2539. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2539 of Plaintiffs' Complaint at this time.

2540. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2540 of Plaintiffs' Complaint at this time.

2541. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these

privileges, I respectfully decline to answer the allegations in Paragraph 2541 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST ANHEUSER-BUSCH, INC.

### Count Three Hundred Seventy-Two
### By Stephen Bruno
### (Negligence)

2542. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2541 of Plaintiffs' Complaint as if more fully set forth herein.

2543. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2543 of Plaintiffs' Complaint at this time.

2544. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2544 of Plaintiffs' Complaint at this time.

2545. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2545 of Plaintiffs' Complaint

at this time.

2546. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2546 of Plaintiffs' Complaint at this time.

2547. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2547 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST MCLAUGHLIN & MORAN, INC.**

**Count Three Hundred Seventy-Three**
**By Stephen Bruno**
**(Negligence)**

2548. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2547 of Plaintiffs' Complaint as if more fully set forth herein.

2549. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2549 of Plaintiffs' Complaint at this time.

2550. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2550 of Plaintiffs' Complaint at this time.

2551. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2551 of Plaintiffs' Complaint at this time.

2552. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2552 of Plaintiffs' Complaint at this time.

2553. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2553 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST CLEAR CHANNEL COMMUNICTIONS, INC. d/b/a WHJY

### Count Three Hundred Seventy-Four
### By Stephen Bruno
### (Negligence)

2554. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2553 of Plaintiffs' Complaint as if more fully set forth herein.

2555. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2555 of Plaintiffs' Complaint at this time.

2556. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2556 of Plaintiffs' Complaint at this time.

2557. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2557 of Plaintiffs' Complaint at this time.

2558. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2558 of Plaintiffs' Complaint at this time.

2559. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2559 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST LUNA TECH, INC. AND LUNA TECH PYROTECHNIC, GMBH**

**Count Three Hundred Seventy-Five**
**By Stephen Bruno**
**(Negligence)**

2560. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2559 of Plaintiffs' Complaint as if more fully set forth herein.

2561. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2561 of Plaintiffs' Complaint at this time.

2562. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2562 of Plaintiffs' Complaint at this time.

2563. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2563 of Plaintiffs' Complaint at this time.

2564. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2564 of Plaintiffs' Complaint at this time.

2565. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2655 of Plaintiffs' Complaint at this time.

**Count Three Hundred Seventy-Six**
**By Stephen Bruno**
**(Strict Products Liability)**

2566. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2565 of Plaintiffs' Complaint as if more fully set forth herein.

2567. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2567 of Plaintiffs' Complaint at this time.

2568. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2568 of Plaintiffs' Complaint at this time.

2569. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2569 of Plaintiffs' Complaint at this time.

2570. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege

against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2570 of Plaintiffs' Complaint at this time.

2571. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2571 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST JOINT VENTURE LIABILITY AS TO JEFFREY DERDERIAN, MICHAEL DERDERIAN, AND DERCO LLC D/B/A THE STATION, MANIC MUSIC MANAGEMENT, INC., JACK RUSSELL, MARK KENDALL, DAVID FILICE, ERIC POWERS, DANIEL BIECHELE, PAUL WOOLNOUGH, KNIGHT RECORDS, INC., ANHEUSER-BUSCH INC., MCLAUGHLIN & MORAN, INC., CLEAR CHANNEL COMMUNICATIONS, INC., D/B/A WHJY-FM, MOTIVA ENTERPRISES, LLC AND SHELL OIL CORPORATION, TOWN OF WEST WARWICK AND STATE OF RHODE ISLAND**

**Count Three Hundred Seventy-Seven**
**By Stephen Bruno**
**(Negligence)**

2572. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2571 of Plaintiffs' Complaint as if more fully set forth herein.

2573. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2573 of Plaintiffs' Complaint at this time.

2574. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2574 of Plaintiffs' Complaint at this time.

2575. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2575 of Plaintiffs' Complaint at this time.

2576. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2576 of Plaintiffs' Complaint at this time.

2577. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2577 of Plaintiffs' Complaint at this time.

2578. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2578 of Plaintiffs' Complaint at this time.

2579. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2579 of Plaintiffs' Complaint at this time.

2580. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2580 of Plaintiffs' Complaint at this time.

## CLAIMS AGAINST SHELL OIL CORPORATION AND MOTIVA ENTERPRISES, LLC

### Count Three Hundred Seventy-Eight
**By Stephen Bruno**
**(Negligence)**

2581. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2580 of Plaintiffs' Complaint as if more fully set forth herein.

2582. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2582 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

2583. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2583 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

2584. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2584 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

2585. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2585 of Plaintiffs' Complaint at this time.

2586. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2586 of Plaintiffs' Complaint at this time.

2587. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2587 of Plaintiffs' Complaint at this time.

2588. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2588 of Plaintiffs' Complaint at this time.

2589. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2589 of Plaintiffs' Complaint at this time.

2590. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2590 of Plaintiffs' Complaint at this time.

2591. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2591 of Plaintiffs' Complaint at this time.

2592. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2592 of Plaintiffs' Complaint at this time.

2593. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2593 of Plaintiffs' Complaint at this time.

2594. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2594 of Plaintiffs' Complaint at this time.

2595. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2595 of Plaintiffs' Complaint at this time.

**CLAIMS AGAINST TOWN OF WEST WARWICK AND FIRE INSPECTOR, DENIS LAROCQUE**

**Count Three Hundred Seventy-Nine**
**By Daniel Davidson**
**(Negligence)**

2596. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2595 of Plaintiffs' Complaint as if more fully set forth herein.

2597. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2597 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

2598. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2598 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

2599. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2599 of Plaintiffs' Complaint at this time.

2600. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2600 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

2601. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2601 of Plaintiffs' Complaint at this time.

2602. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2602 of Plaintiffs' Complaint at this time.

2603. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2603 of Plaintiffs' Complaint at this time.

2604. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2604 of Plaintiffs' Complaint at this time.

2605. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2605 of Plaintiffs' Complaint at this time.

2606. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2606 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

2607. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2607 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

**CLAIMS AGAINST STATE OF RHODE ISLAND AND IRVING J. OWENS, FIRE MARSHAL**

**Count Three Hundred Eighty**
**By Daniel Davidson**
**(Negligence)**

2608. Defendant Daniel Biechele incorporates by reference his answers to Paragraphs 1 through 2607 of Plaintiffs' Complaint as if more fully set forth herein.

2609. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2609 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

2610. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2610 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

2611. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2611 of Plaintiffs' Complaint at this time.

2612. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2612 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

2613. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2613 of Plaintiffs' Complaint at this time.

2614. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2614 of Plaintiffs' Complaint at this time.

2615. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island

Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2615 of Plaintiffs' Complaint at this time.

2616. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2616 of Plaintiffs' Complaint at this time.

2617. Based on the criminal prosecution I currently face in the matter of State of Rhode Island v. Daniel Biechele, Docket No. KI 2003-653, I have no choice but to invoke my privilege against self-incrimination pursuant to the Fifth Amendments to the United States and Rhode Island Constitutions as well as Article I, Section 13 of the Rhode Island State Constitution. Based on these privileges, I respectfully decline to answer the allegations in Paragraph 2617 of Plaintiffs' Complaint at this time.

2618. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2618 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

2619. Defendant Daniel Biechele is without knowledge or information of the truth or falsity of the allegations set forth in Paragraph 2619 of Plaintiffs' Complaint and leaves Plaintiffs to their proof thereof.

WHEREFORE, Defendant Daniel Biechele demands entry of Judgment in his behalf as to Plaintiffs' Complaint.

James H. Reilly - #0658
KELLY, KELLEHER, REILLY & SIMPSON
Attorneys for Defendant Daniel Biechele
146 Westminster Street, Suite 500
Providence, RI 02903
(401) 272-1312
(401) 331-9397—FAX

Donald J. Maroney - #3737
KELLY, KELLEHER, REILLY & SIMPSON
Attorneys for Defendant Daniel Biechele
146 Westminster Street, Suite 500
Providence, RI 02903
(401) 272-1312
(401) 331-9397—FAX

***CERTIFICATION***

Thomas C. Angelone, Esq.
Hodosh, Spinella & Angelone, P.C.
One Turks Head Place, Suite 1050
Providence, RI 02903

Stephen E. Breggia, Esq.
Breggia Bowen & Grande
395 Smith Street
Providence, RI 02908

Joseph V. Cavanagh, Jr., Esq.
Kristin E. Rodgers, Esq.
Blish & Cavanagh, LLP
30 Exchange Terrace
Providence, RI 02903

Brian R. Cunha, Esq.
Karen A. Alegria, Esq.
Brian R. Cunha & Associates
904 Broadway
East Providence, RI 02914

Gerald C. DeMaria, Esq.
James A. Ruggieri, Esq.
Higgins, Cavanagh & Cooney
123 Dyer Street
Providence, RI 02903

Marc DeSisto, Esq.
DeSisto Law Offices
PO Box 2563
Providence, RI 02906

Curtis R. Diedrich, Esq.
Edward T. Hinchey, Esq.
Sloane and Walsh LLP
127 Dorrance Street
Providence, RI 02903

James R. Lee, Esq., Chief, Civil Division
State of Rhode Island
Department of Attorney General
150 South Main Street
Providence, RI 02903

W. Thomas McGough, Jr., Esq.
James J. Restivo, Jr., Esq.
Reed Smith LLP
435 Sixth Avenue
Pittsburgh, PA 15219

Edwin F. McPherson, Esq.
McPherson & Kalmansohn, LLP
101 Century Park East, 24th Floor
Los Angeles, CA 90067

Howard A. Merten, Esq.
Eric M. Sommers, Esq.
Vetter & White
20 Washington Place
Providence, RI 02903

James T. Murphy, Esq.
Thomas R. Bender, Esq.
Kelly N. Michels, Esq.
Hanson Curran LLP
146 Westminster Street
Providence, RI 02903

Mark T. Reynolds, Esq.
Anthony F. DeMarco, Esq.
Reynolds, DeMarco & Boland, Ltd.
170 Westminster Street, Suite 200
Providence, RI 02903

William P. Robinson, III, Esq.
Stephen M. Prignano, Esq.
Stephen J. MacGillivray, Esq.
Edwards & Angell, LLP
2800 Financial Plaza
Providence, RI 02903

Carl A. Henlein, Esq.
John R. Crocket III, Esq.
Susan A. Wettle, Esq.
Frost Brown Todd
400 West Market Street, 32nd Floor
Louisville, KY 40202

Michael A. St. Pierre, Esq.
Revens, Revens & St. Pierre
946 Centerville Road
Warwick, RI 02886

Donna M. Lamontagne, Esq.
Steven T. Hayes, Esq.
Zizik, Powers, O'Connell, Spaulding, Lamontagne
40 Westminster Street
Providence, RI 02903

Deborah G. Solmor, Esq.
Edward M. Crane, Esq.
Skadden, Arps, Slate, Meagher & Flom
333 West Wacker Drive, Suite 2100
Chicago, IL 60606

Ronald P. Langlois, Esq.
Lauren D. Wilkins, Esq.
Smith & Brink, P.C.
One State Street, Suite 401
Providence, RI 02908

Randall L. Souza, Esq.
Fred A. Kelly, Jr., Esq.
Nixon Peabody, LLP
One Citizens Plaza, Suite 700
Providence, RI 02903

Faith A. LaSalle, Esq.
One Turks Head Place
76 Westminster Street, Suite 1010
Providence, RI 02903

I hereby certify that I placed with a delivery service to be hand delivered a true copy of the within to the above local counsel of record and instructed to send by certified mail, return receipt to out of state counsel of record on the 27 day of August, 2004.

Donald J. Maroney